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	C1	number(s), publisher, city and/or country Complaint for Patent Interference Dissatisfaction, as filed 1:04-CV-0573 DFH-WTL, U.S. District Court for the South	in Mycogen C	orp. v. Monsanto Co.,	Γ					
	C2	Monsanto's Answer, Affirmative Defenses and Countercla Monsanto Co., 1:04-CV-0573 DFH-WfL, V.S. District Col (Indianapolis).	aims, as filed in urt for the Soul	Mycogen Corp. v. them District of Indiana	Γ					
	СЗ	Mycogen's Reply to Monsanto's Counterclaims, as filed in 1:04-CV-0573 DFH-WTL, U.S. District Court for the South	ern District of	Indiana (Indiananolie)	r					
	C4	Mycogen's Response to Monsanto's First Set of Interrogal Corp. v. Monsanto Co., 1:04 CV-0573 DFH-WTL, U.S. Dis of Indiana (Indianapolis).	tories (1-18) , strict Court for	as filed in Mycogen the Southern District	Γ					
	C5	Monsanto's Response to Mycogen's First Set of Interroga Mycogen Corp. v. Morsanto Co., 1:04-CV-0573 DFH-WT Southern District of Indiana (Indianapolis).	U.S. District	Court for the						
	C6	onsanto's Expert Report of John T. Goolkasian, as filed in Mycogen Corp. v. Monsanto Co., 04-CV-0573 DPH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).								
	C7	Monsanto's Expert Report of Joachim Messing, as filed in 1:04-CV-057 DFH-WTL, U.S. District Court for the South	Mycogen Con	y Monsanto Co	_					
	C8	Mycogen's Expert Report of Joseph O. Falkinham, as filed 1:04-CV-9573 DFH-WTL, U.S. District Court for the South	I in Mycogo	Com y Monsonto Co	_					
	C9	Monsayto's Rebuttal Expert Report of Dr. Joachim Messin Monsanto Co., 1:04-CV-0573 DFH-WTL, U.S. District Cou (Indianapolis).	a ac filed in A	Occorn Com v	_					
	C10	Mycogen's Rebuttal Expert Report of Dr. Joseph Falkinhai Monsanto Co., 1:04-CV-0573 DFH-WTL, U.S. District Cou (Indianapolis).	rt for the South	nem District of Indiana						
	C/1	Monsanto's Motion for Summary Judgment Regarding Fisi in Mycogen Corp. v. Monsanto Co., 1:04-CV-0573 DFH-W Southern District of Indiana (Indianapolis).	TL, U.S. Distri	ct Court for the	-					
	C12 Mycogen's Opposition to Monsanto's Motion for Summary Judgment Regarding Fischhorid Mycogen's Opposition to Monsanto S Motion for Summary Judgment Regarding Fischhorid Friority of Invention, as filed in Mycogen Corp. v. Monsanto Co., 1:04-CV-0573 DFH-WI U.S. District Count for the Southern District of Indiana (Indiana)									
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Substitute	e for fo	orm 1449/PTO		Complete if Known						
				Application Number	07/827,906-Conf. #3378					
INFO)R	MATION DI	SCLOSURE	Filing Date	January 30, 1992					
STA	TE	MENT BY	APPLICANT	First Named Inventor	Kenneth A. Barton					
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	C13	Managara's Bank				_				
	Fischhoff's Priority of Invention, as filed in Mycogen Corp. v. Monsanto Co., 1:04-CV-0573 DFH-WTo, U.S. District Court for the Southern District of Indiana (Indianacolis)									
	C14	Entry of Pending Motions re denying Monsanto's Motions for Sumpfary Judgment as to priority of invention and as to Fischhoff; Monsanto's Motion to Exclude Palkinham testimony is denied: Mycoglar's Motion to Exclude Goolkasian testimony is granted, as filed in Mycogen Corp. v. Monsanto Co. 1:04-CV-0573 DFH-WTL, U.S. Distript Court for the Southern District of Indiana (Indianapolis).								
	C15	Ciba's Notice Pur Inc., Agrigenetics Delaware.	suant to 35 U.S.C. §282 , Inc., and Ciba-Geigy C	ютр., 96-133-HRM, U	Co. v. Mycogen Plant Science, nited States Court District of	Γ				
	216	V. Mycogen Plant States Court Distr	Science, Inc., Agrigene ict of Delawase.	tics, Inc. fand Ciba-G	282, as filed in <i>Monsanto Co.</i> eigy Corp., 96-133-RRM, United	Γ				
	C17 Ciba's Supplement to the Notice Cursuant to 35 U.S.C. §282, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.									
C	218	(Nos. 1-6), as file	d in <i>Monsanto Co. v //</i> // . 96-133-RRM. United S	ycogen Plant Science	First Set of Interrogatories b, Inc., Agrigenetics, Inc., and Delaware.					
	219	Monsanto Compa filed in Monsanto Corp., 96-133-RR	ny's Answers to Ciba-G Co. v. Mycoger Plant S M. United States Court	eigy Corporation's Se cience, Inc., Agrigene District of Delaware	econd Set of Interrogatories, as tics, Inc., and Ciba-Geigy					
	20	Inc., and Ciba-Ge	igy Cong., 96-133-RRM,	United States Court I	Set of Extra Interrogatories to t Science, Inc., Agrigenetics, District of Delaware.					
		Monsanto's Respo Mycogen Plant So States Court Distri	onses to Mycogen's First ienge, Inc., Agrigenetics ict of Delaware.	st Set of Interrogatorie s, Inc., and Ciba-Geig	s, as filed in Monsanto Co. v. y Corp., 96-133-RRM, United					
		Interrogatones 3/- Inc., and Ciba-Gei	40, as filed in Monsanto av Corp., 96-133-RRM	Co. v. Mycogen Plan	and Agrigenetics, Inc.'s in Science, Inc., Agrigenetics, District of Delaware.					
		Ciba-Gejay Corp.,	96-133-RRM, United S	ycogen Plant Science tates Court District of	First Set of Interrogatories e, Inc., Sprigenetics, Inc., and Delaware					
	24	Mycogen Plant Sc First Set of Interro Mycogen Plant Sc States Court Distri	ience and Agrigenetics' gatories (1-9) to MPS a ience, Inc., Agrigenetics ct of Delaware.	Objections and Resp nd Agrigenetics, as file s, Inc., and Ciba-Geigy	onses to Monsanto Company's ed in <i>Monsan</i> to Co. v. y Corp., 96-133 RRM, United					
	25	Monsanto's Motion filed in Monsanto (Corp., 96-133-RRI	For Judgment As A Ma Co. v. Mycogen Plant So M, United States Court I	cience, Inc., Agrigenet District of Delaware.	Alternative, A New Trial, as tics, Inc., and Ciba-Geigy					
	- 1	Novartis' Motion Fo Science, Inc., Agrio District of Delaward	genetics, Inc., and Ciba	er of Law, as filed in M Geigy Corp., 96-133-	lonsanto Co. v. Mycogen Plant RRM, United States Coun					

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	C2	Mysdaga								
		Agrigene ic Delaware.	s, Inc	rigenetics Motion For Ju On Limited Issues, as fi ., and Ciba-Geigy Corp.,	ed in Monsant 96-133-RRM,	o Co. v United	States	ten Plant Science, Inc., Court District of		
	C28	Corp., 96-1	33-R	g Brief in Support of Its I nto Co. v. Mycogen Plan M, United States Court	Nistrict of Dota	, Agrigo	enetics,	Inc., and Ciba-Geigy		
	C29	Monsanto's Alternative, Agrigenetics Delaware.	Brief A Ne s, Inc.	in Support of Its Motion w Trial, as filed in Monse , and Ciba-Geigy Corp.,	for Judgment A anto Co. v. Myo 96-133-RRM	As/a Ma ogen F United	Plant Sci States (ience, Inc., Court District of		
	C30	Plant Science	ce, Inc	nigenetics Brief in Support or a Partial New Trial on c., Agrigenetics, Inc., and delaware.	d Ciba-Geigy C	, as file orp., 9	d in <i>Moi</i> 6-133-R	nsanto Co. v. Mycogen RM, United States		
	C31	133-RRM, U	nited	sition to Defendant's Mo Mycogen Plant Science States Court District	nnc., Agngenet Delawara	ics, inc	., and C	iba-Geigy Corp., 96-	\exists	
	C32	32. Novartis' Answering Brief in Opposition in Monsanto's Motion for Judgment As A Matter of Law or, In The Alternative, A New Tipal, as field in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciber-Geigy Comp. 36-133 RRM. United States Court District of Delaware.								
	C33	Agrigenetics Delaware	Inc.,	Opposition o Monsan New Trial as filed in Mo and Ciba Geigy Corp.,	onsanto 1:0. v. 1 96-133-RRM, L	Mycoge Inited S	en Plant States C	Science, Inc., ourt District of	1	
	C34	Science, Inc. District of De	, Agri		Geigy Corp., 9	6-183-1	onsanto RRM, Ui	Co. v. Mycogen Plant nited States Court	7	
	C35	Corp., 96-13	-RRI	rief in Support of Its Ren Co. v. Mycogen Plant Sc M, United States Court D	ience, Inc., Agr	ngeneti	că Inc.,	and Ciba-Geigy	٦	
	C36 Monsanto Reply Brief in Support of it's Motion for Judgment as a Matter of Law or. In The Alternative, A New Trial, as filled in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigopetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Could District of Delayare.									
		33-RRM, Un	ited S	of 7/17/96 Hearing on P ycogen Plant Science, In States Court District of D	ic., Agrigenetic	s, Inc.,	and Cit	ba-Geigh Corp., 96-	1	
		Ciba-Geigy's as filed in Moi Corp., 96-133	Motio nsant -RRM	n and Notice for Summa o Co. v. Mycogen Plant I. United States Court D	Science, Inc., A	agngen	etics, In	c., and Ciba-Seigy	1	
	C39	Monsanto's O Inventorship U	pposi Inder	tion to Ciba's Motion for 35 U.S.C. § 102(g), as t nc., and Ciba-Geigy Cor	Summary Judg	gment o				
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1	C40	O Ciba's Reply Brief in Support of Its Motion for Summary Judgment of Invalidity of the '365	_
		Patent Under 35 U.S.C. § 102(g)a, as filed in Monsanto Co. Why Open Plant Science, Inc., Agrigeneitos, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	C41	4/2/98 Letter Show to Dollar Transition	ı
		for Summary Judgment that the '365 Patent is Invalid Under U.S.C. § 103 (Obviousness), as filed in Monsanto So. v. Mycogen Plant Science, Inc., Aggrenetics, Inc., and Ciba-Geigy Com., 96-133-RRM United States Could Distate the Science, Inc., Aggrenetics, Inc., and Ciba-Geigy	Ì
	C42	U.S.C. §103 (OBVICUSNESS), as filed in Monsanta Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-fRM, United States Court District of Delaware.	ľ
	C43	is Invalid Under 35 U.S.C. § 103 (Obviousnes), as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-beigy Corp., 96-133-RRM, United States Court District of Delaware.	
	C44	Mycogen's Reply Brief in Support of Its Motion for Summary Judgment that the '365 Patent is Invalid, as filled in Monsanto Co. v. MyCogen Plant Science, Inc., Agrigenetics, Inc., and Ciba- Geigy Cop., 36-133-RRM, United Science Sourt District of Delaware.	-
	C45	Detendants Mycogen Plant Sciengé and Agrigenetics, Inc. Motion and Memorandum in Support Pursuant to Rule 12(b)(f) for Dismissa on the Basis of Monsanto's Failure to Comply with the Written Description Requirement of 35 SCS 112 f1, as filed in Monsanto Co. v. Mycogen Plant Science, Inc. Agrigenetics, Inc., and Clba-Geigy Corp., 96-133-RRM, United States Court District of In-Javane	_
		Defendants Mycogen & Agrigenetics Brief in Support of its Motion Pursuant to rule 12(b)(6) for Dismissal on the Basis of Monsarito's Failure to Comply with the Written Description Requirement of 35 USC \$112.11 (Corrected), as filed in Nonsarito Co. v. Mycogen Plant Science, Inc., Agrigorietics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delawage.	_
		Errata Sheet for Defendants' Mycogen Plant Science and Agrigonatics Brief in Support of its Motion Pursuant to Rule 12(b)(6) for Dismissal on the Basis of Moheanto's Failure to Comply with the Written Description Requirement of 35 USC § 112, ¶, 1, as fred in Monsanto Co. v. Mycogen Pfant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Comp. 96-133-RRM, United States Cofur District of Delaware.	-
		Plaintiff Monsanto's Brief in Opposition to Defendants Mycogen Plant Science, Inc. and Agrightetics, Inc. is Motion Pursuant to Rule 12(b)(6) Fed. R. Civ. P. for Dismissal Based on Corphiance with 35 U.S.C. § 112 (Written Description Requirement), as filled In Monsanto Co. If Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-13, RRM, United States Court District of Delaware.	-
		Defendant Mycogen's Reply Brief in Support of Its Motion Pursuant to Rule 12(b)(6), Fed. R. Civ. P., for Dismissal on the Basis of Monsanto's Failure to Comply With the Written Description Requirement of 35 U.S.C. § 112 fl. as filled in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigeneitics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court Institut of Delaware.	-

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Signature	/Anne Kubelik/	Date	
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C52	Mycogen's	Motion	fol Summany Judames	4-41 - 17 17 -		_		
	Inc., Agrige. Delaware.	netics,	Inc., and Ciba-Geigy C	orp., 96-138-RRM, U	. v. Mycogen Plant Science, nited States Court District of			
C53	§ 112, as file Geigy Com.	ed in A	Monsanto Co. Mycoge	en Plant Science, Inc.,	ts Mycogen and Ciba's Motions en Description Under 35 U.S.C. Agrigenetics, Inc., and Ciba-			
C54	Patent for La Mycogen Pla States Coun	eck of ant Sci Distri	Written Description Vic ience, Inc., Agrigention ct of Delaware	otion for Summary Ju- ler 35 U.S.C § 112, as Inc., and Ciba-Geig	dgment of Invalidity of the '365 s filed in <i>Monsanto Co. v.</i> y Corp., 96-133-RRM, United			
C55	Ciba's Reply Motions for S 112, as filed Geigy Corp.	Brief Summa in Moi 96-13	to Monsanto's Combine ary Judgment of Invalidi Insanto Co. y Mycogen 3-RRM United States	d Brief in Opposition ty fo Lack of Written Plant Science, Inc., A	to Mycogen's and Ciba's Description Under 35 U.S.C. § grigenetics, Inc., and Ciba-			
C57	Part, Denying Pending Mot AGRIGENET DISTRICT O	Plain Ons, A ICS, I F DEL	Judgment, Granting Platiffs Motion For Judgm AS FIVED IN MONSANT NC, AND CIBA-GEIGY AWARE.	aintiff's Motion For Judent as a Matter of Law FO CO. V. MY COGEN (CORP., 96-133 RRN	dgment as a Matter of Law in v in Part, and Denying Other I PLANT SCIENCE, INC., I, UNITED STATES COURT			
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	Agrigenetics, Delaware.	Inc., a	nd Ciba-Geigy Corp., 9	6-133-RRM, United S		7		
1.	138-RRM. Un	ited S	Post Trial Motions And Gogen Plant Science, In tates Court District of Di	nc., Agrigenetics, Inc.,	and Ciba-Geigy Corp., 96-	$\exists$		
C60	Federal Circu Agrigenetics, Delaware, 26	it decis Inc., a. I F.3d	sion on appeal from Mon nd Ciba-Geigy Corp., 90 1356 (Fed. Cir. 2001)	nsanto Co. v. Mycoge 3-133-RRM, United St	tates Court District &	7		
<b>9</b> 61   1	Frial Transcrip 1998, as filed	t, Ope	ming Statement by Ma		ges 63-84, dated June 5, grigenetics, Inc., and Ciba	7		
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		195, dated Agrigenetics Delaware.	June 1 s, Inc.	tephen Rogers, Direct e 15, 1998, as filed in Mon , and Ciba Geigy Corp.,	examination by santo Co. v. M 96-133-RAM,	Mr. Lynch (Mo lycogen Plant : United States	onsanto), pages 173- Science, Inc., Court District of	Γ	
	C66	Trial Transc	nint S	tenhen Roger Carti				L	
		pages 217-2 Agrigenetics Delaware.	34, d , <i>Inc.</i> ,	ated June 16, 1998, as i and Ciba-Geigy Corp.,	filed in Monsan 96-133-RRM, I	nto Co. v. Myco United States	Lynch (Monsanto), Ogen Plant Science, Inc., Court District of	1	
	C67	Trial Transcr dated June 1	ipt, S 16, 19	tephen Rogers, Crosse 198, as filed in <i>Monson</i> 199, 2007, 96-133-DRM,	xamination by Co. v. Mycoge	Mr. Drivas (No	vartis), pages 234-244, ce, Inc., Agrigenetics,	$\vdash$	
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		Agrigenetics, Delaware.	Inc.,	and Gloa-Geigy Corp., 9	6-133-RRM, 0	cogen Plant S Nited States C	cience, Inc., Court District of		
	C70	Corp., 96-133	3-RRM	ernen Rogers, Transitio Co. v. Mycogen Plant M, United States Court D	istrict of Delay	Ayrigenetics, I	nc., and Ciba-Geigy		
		Inal Transcri 372, 375-399 Agrigenetics, Delaware	date Inc., a	hn Goolkasian, Direct ex d June 16, 1998, as filed and Ciba-Geigy Corp., 9	camination by M d in <i>Monsanto</i> i 6-133-RRM, U	Ms. Knoll Mon Co. v. Mycoge nited States	n Plant Science, Inc., purt District of	_	
		Inc. Jand Ciba	-Geig	nn Goolkasian, Cross ex 8, as filed in <i>Monsanto</i> ( by <i>Corp.</i> , 96-133-RRM, L	Inited States C	Curt District	vants), pages 399-400, e, Inc. Agrigenetics,		
	Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.  C73 Tyli Transcript, John Godkasian, Cross examination by Mr. Dickerson Plycogen/Agingentics), pages 401-422, dated June 16, 1998, as filed in MonsantoCo. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.								
		Trial Transcrip 423, dated Jur Agrigenetics, I Delaware.	t, Joh ne 16, nc., a	nn Goolkasian, Redirect , 1998, as filed in <i>Monsa</i> and Ciba-Geigy Corp., 96	examination by Into Co. v. Myc 3-133-RRM, Un	Ms. Knoll (Mo ogen Plant Sc nited States Co	onsanto), pages 122- ience, Inc., ourt District of		
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		Agrigenetic Delaware.	s, hc.,	and Ciba-Geigy Corp.	. 96-133-RRM, ц	Jnites States	gen Plant Science, Inc Court District of	•
	C77	Agrigenetic: Delaware	s, Inc.,	Nam-Hai Chua, Cros 6, 1998, as filed in Mon and Ciba-Geigy Corp.,	96-133-RRM L	Jnited States	Science, Inc., Court District of	1
	C78	Agrigenetics Delaware.	s, Inc.,	r. Nam-Hai Chua, Conti ted June 7, 1998, as a and Ciba-Gaigy Corp.,	96-136-RRM, U	o Co. v. Myco Inited States	ogen Plant Science, In Court District of	
	C79	Agrigenetics Delaware.	, Inc.,	Nam-Hai Chua Cross ted June 17, 1996 as and Ciba-Geigy Colo.	96-133-RRM, U	nited States	ogen Plant Science, In Court District of	). c.,
	C80	Inc., Agrigen Delaware.	etics, I	Nam-Hai Chua, Redire dated June 17, 1998, a nc., and Ciba Geigy Co	orp., 6-133-RR	M, United Sta	rcogen Plant Science, ites Court District of	$\top$
	C81	Geigy Corp.	96-133	Nam-Hai Chua Transit Insanto co. v. Mycogen 3-RRM, United States (	Ourt District	Inc., Agrigen	etics, Inc., and Ciba-	
	C82	1998, as filed Geigy Corp.	ipt, De _l I in <i>M</i> o 96-133	position Testimony of K nsanto Co. v. Mycogen NRRM United States (	enneth Barton Plant Science,	pages 1047- oc., Agrigen	etics, Inc., and Ciba-	T
	C83	dated June 1 Inc., and Ciba	pt, Joh 8, 1698 9- <i>Geia</i> n	in Dewhirst, Direct exar B, as filed in Monsanto V Corp. 96-133-PPM I	mination by Mr. Co. v. Mycogen	Drivas (Nova Plant Scienc	e, Inc., Agrigenetics,	1 1
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MIEO.				Application Number	07/827,906-Conf. #3375				
			CLOSURE	Filing Date	January 30, 1992	92			
STAT	EMENT	BY AP	PLICANT	First Named Inventor	Kenneth A. Bartog	_			
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	8	Of	23	Attorney Docket Number	28079/41383				
T C8	8 Trial Trans	adat Y	-11 01-1						
	Agrigenetic Delaware.								
C8	Corp., 96-1	Trial Transcript, Deposition Testimony of Fred Pertak, pages 115-1137, dated June 19, 1998, as filed in Monanto Co. v. Mycogen Plant Science, Inc., Agridenetics, Inc., and Ciba-Geigy Corp., 96-133-RNM, United States Court District of Delaward. Trial Transcript, Deposition Testimony of Edgar Lawson, Ages 1137-1139, dated June 19, 1998, as filed in Monanto Co. v. Microgon Giver Science, 1998.							
C9	Geiay Com	96-133-	RM United States	Court District A D.	Agngenetics, Inc., and Ciba-	Γ			
C9	1155, dated Agrigenetics Delaware.	inpt, Depo June 19, s, Inc., and	sition Testimony of 1998, as filed in Mo d Ciba-Geigy Corp.,	David Fishboff and tra Insanto Co. v. Mycoge 96-133 RRM, United	ansition statement, pages 1140- en Plant Science, Inc., States Court District of				
C92	Plant Science	Tnal Transcript, Dr. Julia Bailey-Serres, Direct examination by Mr. Drivas (Novartis), pages 1161-1219, 1223-1238, 1250-1260, dated Jone 19, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.							
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C94	Agrigenetics, Delaware.	, Inc., and	Ciba Geigy Corp.,	96-133-RRM, United S	y Mr. Drivas (Novartis), pages vcogen Plant Science, Inc., States Court District of				
C95	Corp., 96-13:	3-RRM.	nited States Court C	District of Dolower	37-1342, dated June 19, 1998, netics, Inc., and Ciba-Geigy				
C96	pages 1392- Inc., Agrigent Delaware.	ipt, Gyly C 1405, date etils, Inc.,	ardineau, Direct exa d June 24, 1998, as and Ciba-Geigy Co	amination by Mr. Guis s filed in <i>Monsanto Co</i> pp., 96-133-RRM, Uni	e (Mycogen/Agrigenetics), v. Mycogen Plant Science, ted States Court District of				
C97	Agrigentics, Delaware.	Inc., and	Ciba-Geigy Corp., 9	6-133-RRM, United S	tates Coult District of				
C98	Mycogen Plan States Court I	nt Science District of	, Inc., Agrigenetics, Delaware	Inc., and Ciba-Geigy	tion statement by Mr. Guise , as filed in Monsanto Co. v. Corp., 96-133-RRM, United	7			
C96	Trial Transcrip pages 1418-1 Inc., Agrigene Delaware.	ot, Michel 453, date tics, Inc.,	Adang, Direct exam d June 24, 1998, as and Ciba-Geigy Cor	ination by Mr. Mahane filed in Monsanto Co. p., 96-133-RRM, Unite	ey (Mycogen/Agrigenetics), v. Mycogen Plant Science, ed States Court District of				
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C110	C110 / frail Transcript, Fred Perfak, Rebuttal Direct examination by Mr. Lynch (Monsanto) pages 1712-1773, dated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 36-133-RRM, United States Court District of Delaware.						
C111	Frial Transcript dated June 25, nc., and Ciba-	, Fred Po 1998, as Geigy Co	erlak, Cross examin s filed in <i>Monsanto</i> ( prp., 96-133-RRM, L	ation by Mr. Drivas Co. v. Mycogen Pla Jnited States Court	(Novartis) int Science District of	, pages 1773-182 t. Inc., Agrigenetics, Delaware.	
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1 7	MEOE	MATIO		SCLOSURE	Application Number	07/827,906-Conf. #3375		
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		C112 Trial Vranscript, Fred Perlak, Cross examination by Mr. Olson (Mycogyh/Agrigenetics), pager 1821-1841, dated June 25, 1998, as filed in Monsanto Co. v. Mycogyh Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.						
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		pages 1875- Inc., Agriger Delaware.	1878, etics,	dated June 25, 1998, as Inc., and Ciba-Geigy Co	ation by Mi Mahaney s filed in <i>Monsanto Co</i> orp., 96-133-RRM, Un	(Mycogen/Agrigenetics), D. v. Mycogen Plant Science, ited States Court District of	П	
		Agrigenetics Delaware.	Inch,	and Ciba-Geigy Corp., 9	6-133-RRM, United S		П	
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	124	dated June 2	5 199		mination by Mr. Lee (I	Monsanto), pages 1897 1902.	$\exists$	

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			Examiner Name	A. R. Kubelik	_
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C136 Trial Tra pages 20 Inc., Agn Delaward	nscript, Dr. Nam 087-2096, dated genetics, Inc., a s.	Hai Chua, Cross of June 26, 1998, as and Ciba-Geigy Col	examination by Mr. Ol filed in <i>Monsanto Co.</i> rp., 96-133-RRM, Unit	son (Mycogen/Agnigenetics), v. Mycogen Plant Science, ed States Court District of	_

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		137 Tria Yanscript, Opening Statement by Mr. Drivas (Novartis) on inequitable conduct, pages 2209-3227, dated June 26, 1988, as filed in Monsanto Co. v. Mycogép Plant Science, Inc., Agrigenthics, Inc., and Clba-Geigy Corp., 96-133-RRM, United Stajas Court District of Delaware.								
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	C144	dated June 2 Inc., and Ciba	pt, Re 9, 199 3-Gei	ebuttal Argument by Mr. 98, as filed in <i>Monsanto</i> ny Come 96-133 PPM	Olson (Mycoge Co. v. Mycoge	en/Agrige In Plant S	enetics), Science,	pages 2422-2424, Inc., Agrigenetics,		
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Substitute for form 1449/PTO Complete if Known Application Number 07/827,906-Conf. #3375 INFORMATION DISCLOSURE Filing Date January 30, 1992 STATEMENT BY APPLICANT First Named Inventor Kenneth A. Barton Art Linit 1638 (se as many sheets as necessary) Examiner Name A. R. Kubelik 23 Attorney Docket Number 28079/41323 C150 Trial Transcript, David Fishhoff, Continued examination by Mr. Tomaso (Mycosen/Agrigenetics), pages 2582-2614, dated July 8, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Cop., 96-133-RRM, United States Coart District of Delaware. C151 Trial Transcrot, David Fishhoff, Examination by Mr. Drivas (Novertis), pages 2614-2645, dated July 8, 1998, at filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corb., 96-133-RRM, United States Court District of Delaware. C152 Trial Transcript, David Fishhoff, Examination by Ms. Knoll Monsanto), pages 2646-2658, dated July 8, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Gelgy Oop., 96-133-RRM, United States Court District of Delaware. C153 Trial Transcript, Closing argument by Mr. Tomasch (Mycogen/Agrigenetics) on inequitable conduct, pages 2658-2686 dated July 8, 1998, as fied in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. C154 Trial Transcript, Closing argument by Mr. Drives (Novartis) on inequitable conduct, pages 2691-2699, dated July 8, 1998, as sided in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy O Delaware. C155 Trial Transcript, Closing argument by Mr. ynch (Monsanto), pages 2699-2708, dated July 8, 1998, as filed in Monsanto Co. v. Myfogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. C156 Expert report of Michael Adang, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. C157 Expert report of Arthur Aronson, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp. 96-133-RRM, United States Court District of Delaware. C158 Expert report of Julia Falley-Serres , submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agriganetics, Inc., and Ciba-Geigy Corp., 96-13-RRM, United States Court District of Delawar C159 Expert report of Serald Bjorge, submitted 3/25/98 in Monsanto C Expert report of gerald Bjorge, submitted 3/25/98 in Monsanto Ce v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. C160 Expert report of Gerald Bjorge, submitted 4/15/98 in Monsanto Co. v. M. wcogen Plant Science Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaway C161 Exper report of Lawrence Bogorad, submitted 3/25/98 in Monsanto Co. v. Micogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. C162 Expert report of John Dewhirst, submitted 3/25/98 in Monsanto Co. v. Mycogen Pla Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Expert report of Joseph Falkinham, submitted 4/15/98 in Monsanto Co. v. Mycogen Plan Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.

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STATEMENT BY APP	LICANT	First Named Inventor	Kenneth A. Barton			
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C190 Order Denying Monsant Mycogen Plant, et al. v. of California (San Diego	\	any, 93-04-653, U.S.	District Court, Southern District			
C191 Rule 26 Expert Report of Plant, et al. Monsanto California (San Diego).	,, C	· 000, 0.0. District C	purt, Southern District of			
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C194 Rebuttal Expert Report of	194 Rebuttal Expert Report of Joseph Falkinham III., ated December 18, 2003, as filed in Mycogen Plant, et al. v. Monsagto Company, 95 CV-653, U.S. District Court. Southern District					
C195 Notice of DeKalb Burgue		/				
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C196 Notice Under 35 U.S.C. § December 20, 1997, as fi 00505-RRM, U.S. District	Court District of	nent, et al. v. Monsani	to Company, et al, 1:96-cv-			
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	C215	Mycogen District of Plaintiffs	Plant, et al. Delaware (	a and Pine Land's Brie y Under 35 U.S.C. § 16 v. Monsanto Compan Wilmington).	y, et al, 1:96-cv-005	nber 24, ¶ 505-RRM	997, as filed in V.S. District Court,	_
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	C224	Summary Ju Monsanto C (Wilmington)	or Keith W idgment of ompany, e	lalker in Support of f Invalidity, dated No et al. 1:96-cv-00505	Answering Brief to ovember 18, 1997 -RRM, U.S. Nistri	DeKalb's Mo 7, as filed in M ct Court, Distr	lycogen Plant, et al. i ict of Delaware	v.
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		2\	Of	23	Attorney Docket Number	28079/41383		
	1	00505-RAN	1, U.S	District Court, District of	of Delaware (Wilming)			
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	1		Examiner Name	A. R. Kubelik	
	28 01	23	Attorney Docket Number	28079/41383	
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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/Anne Kubelik/

Country Code³-Number⁴-Kind C

Complete if Known Application Number 07/827,906-Conf. #3375 Filing Date January 30, 1992 First Named Inventor Kenneth A. Barton 1638 Art Unit Examiner Name A. R. Kubelik Attorney Docket Number 28079/41333

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		NON PATENT LITERATURE POCUMENTS	
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	C1	Complaint for Patent Interference Dissatisfaction, as filed in Mycogen Corp. v. Monsanto Co., 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C2	Monsanto's Answer, Affirmative Defenses and Counterclaims, as filed in Mycogen Corp. v. Monsanto Co., 1:04-CV-0573 DFH-WYL, V.S. District Court for the Southern District of Indiana (Indianapolis).	
	С3	Mycogen's Reply to Monsanto's Counterclaims, as filed in Mycogen Corp. v. Monsanto Co., 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	Г
	C4	Mycogen's Response to Monsunto's First Set of Interrogatories (1-18), as filed in Mycogen Corp. v. Monsanto Co., 1.04 CV-0573 DFH-WTL, N.S. District Court for the Southern District of Indiana (Indianapolis).	
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	C6	Monsanto's Expert Report of John T. Goolkasian, as filed in Nycogen Corp. v. Monsanto Co., 1:04-CV-0573 DVH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	Г
	C7	Monsanto's Expert Report of Joachim Messing, as filed in Mycogen Corp. v. Monsanto Co., 1:04-CV-057% DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
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	9/1	Monsanto's Motion for Summary Judgment Regarding Fischhoft's Priority of Invention, as filed in Mycogen Corp. v. Monsanto Co., 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C12	Mycogen's Opposition to Monsanto's Motion for Summary Judgment Regarding Fischhoff Priority of Invention, as filled in Mycogen Copp. v. Monsanto Co., 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	

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<i>\</i>			Art Unit	1638	
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	2 01	23	Attorney Docket Number	28079/41333	
C1:	Fischhoff's Priori	y Memorandum in Supp ty of Invention, as filed in District Court for the Sou	n Mycogen Corp. v. N	ummary Judgment Regarding	
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C16	v. Mycogen Plans States Court Dist	Science, Inc., Agrigene rict of Delaware.	etics, Inc. and Ciba-G	§ 282, as filed in Monsanto Co. eigy Corp., 96-133-RRM, United	
C17	Mycogen Plant S States Court Dist	cience, Inc., Agrigenetion	cs, Igc., and Ciba-Gei	as filed in Monsanto Co. v. gy Corp., 96-133-RRM, United	
C18	Ciba-Geigy Corp	, 96-133-RRM, Unit⊌d \$	Setes Court District o	First Set of Interrogatories e, Inc., Agrigenetics, Inc., and f Delaware.	
C19	Corp., 96-133-RF	Co. v. Mycogen/Plant S RM, United States Court	Science, Inc., Agrigen District of Delaware.	econd Set of Interrogatories, as etics, Inc., and Ciba-Geigy	
C20	Inc., and Ciba-Ge	any, as file in Monsant aigy Corp., 96-133-RRM	o Co. v. Mycogen Plai I, United States Court	Set of Extra Interrogatories to nt Science, Inc., Agrigenetics, District of Delaware.	
C21	Mycogen Plant S States Court Dist	cienge, Inc., Agrigenetic rict of Delaware	s, Inc., and Ciba Gei	es, as filed in Monsanto Co. v. gy Corp., 96-133-RRM, United	
C22	inc., and Ciba ₂ G6	<i>igy</i> Corp., 96-133-RRM	I, United States Court	and Agrigenetics, Inc.'s N Science, Inc., Agrigenetics, District of Delaware.	
C23	(Nos. 1-14), as fil Ciba-Geigy Corp.	ed in <i>Monsanto Co. v. N</i> , 96-133-RRM, United S	Mycogen Plant Science States Court District of		
C24	First Set of Internal Mycogen Plant S States Court Dist	ogatories (1-9) to MPS a cience, Inc., Agrigenetic rict of Delaware.	and Agrigenetics, as fi cs, Inc., and Ciba-Geig	gy Corp., 96-133-RRM, United	
C25	filed in Monsanto Corp., 96-133-RF	Co. v. Mycogen Plant S M, United States Court	Science, Inc., Agrigene District of Delaware.	e Alternative, A New Trial, as etics, Inc., and Ciba Geigy	
C26		igenetics, Inc., and Cib.	ter of Law, as filed in a a-Geigy Corp., 96-133	Monsanto Co. v. Mycogen Plant B-RRM, United States Court	

и	Examiner I		Date		₹
1	Signature	/Anne Kubelik/		02/23/2009	7
/ I:	Signature	Aine Rabeilo	Considered	02/23/2009	

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Substi	tute for fo	rm 1449/PTO			Complete if Known			
					Application Number	on Number 07/827,906-Conf. #3375		
					Filing Date	January	30, 1992	
ST	<b>ATE</b>	MENT I	3Y /	APPLICANT	First Named Inventor	Kenneth	A. Barton	
					Art Unit	1638		
	(06	e as many sh	eets a	s necessary)	Examiner Name	A. R. Kul	pelik	
		3	of	23	Attorney Docket Numbe	28079/4	1333	
ſ	C27	Mycouen a	nd Ac	rigenetics Motion For Ju	Idoment As A Matte	er Of Law O	Alternatively For A	
		Partial Nev Agrigenevic Delaware.	Trial	On Limited Issues, as fi ., and Ciba-Geigy Corp.	iled in Monsanto Co , 96-133-RRM, Unit	o. v. Mycogy led States Co	Plant Science, Inc., ourt District of	
	C28	as filed in I Corp., 96-1	10n 33-R	g Brief in Support of Its anto Co. v. Mycogen Pla M, United States Court	nt Science, Inc., Ag District of Delawar	rigenetics, Ir	c., and Ciba-Geigy	
	C29	Alternative Agrigenetic Delaware.	A Ne	in Support of Its Motion w Thial, as filed in Mons, and Ciba-Geigy Corp.	anto Co. v. Mycode , 96-133-RRM, Vinit	en Plant Scie. ed States Co	nce, Inc., ourt District of	
	C30	or Alternati Plant Scien Court Distri	vely, f ce, In ct of I		Limited Usues, as nd Ciba Seigy Corp	filed in <i>Mon</i> : ., 96-133-RF	santo Co. v. Mycogen M, United States	
	C31	Monsanto ( 133-RRM,	Co. v. United	osition to Defendant's M Mycogen Plant Science States Court District of	, I/ic., Agrigenetics, Delaware.	Inc., and Cit	oa-Geigy Corp., 96-	
	C32	Law or, In Inc., Agrige Delaware.	he A	ring Brief in Opposition Iternative, A New Trial, a s, Inc., and Ciba-Grigy C	filed in Monsanto Corp., 96-133-RRM	Co. v. Myco United State	gen Plant Science, es Court District of	
	C33	The Alterna Agrigenetic Delaware.	tive, i s, Inc	In Opposition To Monsa A New Trial, as filed in M ., and Ciba Geigy Corp.	fonsanto Co. v. My , 96-133-RRM, Unit	cogen Plant ed States Co	Science, Inc., ourt District of	
	C34	Alternativel Science, In District of D	y, A F c., <i>Ag</i> elawa		ed Issues, as filed i a-Geigy Corp., 96	in Monsanto 33-RRM, Un	Co. v. Mycogen Plant ited States Court	
	C35	filed in Mon	saglo	Grief in Support of Its Re Co. v. Mycogen Plant S RM, United States Court	Science, Inc., Agrige	enetios, Inc.,	a Matter of Law, as and Ciba-Geigy	
	C36	Alternative, Agriger etic Delayare.	A Ne s, Inc	y Brief in Support of It's w Trial, as filed in Mons., and Ciba-Geigy Corp.,	anto Co. v. Mycoge 96-133-RRM, Unit	n Plant Scher ed States Co	urt District of	
	C37	Monsanto (	Co. v.	pt of 7/17/96 Hearing on Mycogen Plant Science I States Court District of	Inc., Agrigenetics,	pages 1-3 an Inc., and Cit	d 44-61, as filed in pa-Geigy Corp., 96-	
	C38/	as filed in A Corp., 96-1	fonsa 33-RF	tion and Notice for Sumr nto Co. v. Mycogen Plan RM, United States Court	nt Science, Inc., Aga District of Delaware	rigenetics, In e.	c., and Ciba Geigy	
	C39	Inventorship	Und o	osition to Ciba's Motion f er 35 U.S.C. § 102(g), a s, Inc., and Ciba-Geigy C	s filed in Monsanto	Co. v. Myco	gen Plant Science	
Examiner						ate		
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					Application Number	07/827,906-Conf. #3375		
INFORMATION DISCLOSURE					Filing Date	January 30, 1992		
STATEMENT BY APPLICANT				PPLICANT	First Named Inventor	Kenneth A. Barton		
					Art Unit	1638		
L	(Us	as many she	ets as ne	ecessary)	Examiner Name	A. R. Kubelik		
		4	Of	23	Attorney Docket Number	28079/413/3		
	C40	Patent Unde Agrigenetion Delaware.	er 35 U. 6, <i>Inc.</i> , a	S.C. § 102(g)a, as fi and Ciba-Geigy Corp	ed in Monsanto Co. v. ., 96-133-RRM, United	ment of Invalidity of the '365 Mycogen Plant Science, Inc., d States Court District of		
	C41	for Summar filed in Mon Corp., 96-13	y Jugan santo & 33-RRM	nent that the '365 Pa o. v. Mycogen Plant Wnited States Cou	tent is Invalid Under I Science, Inc., Agrigan t District of Delaware.	Brief in Support of its Motion S.C. § 103 (Obviousness) , as letics, Inc., and Ciba-Geigy		
	C42	U.S.C. §103 Agrigenetic: Delaware.	3 (OBVII s, Inc., a	OUSNESS) , as filed and Ciba-Geigy Corp	in Monsanto Co. v. M ., 96-133-RDM, United	365 Patent is Invalid Under 35 lycogen Plant Science, Inc., d States Court District of		
	C43	243 Monsanto's Answering Brief to Mycogen's Motiof for Summary Judgment That the '385 Patent is Invalid Inder's 5U. S. C. § 100. (Diviousness), as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Grigy Corp., 96-133-RRM, United States Court District of Delaware.						
	C44	Invalid, as fi Geigy Corp.	iled in M ., 96-13:	lonsanto Co. v. My₫ 3-RRM, United State	igen Plant Science, In S Court District of Dela	udgment that the '365 Patent is c., Agrigenetics, Inc., and Ciba-		
	C45	Support Pur with the Wri Mycogen Pl	suant to tten Des ant Scie	Rule 12(b)(6) for Di scription Reguiremen	smissal on the Basis of it of 35 USC & 112 ¶ 1	tion and Memorandum in of Monsanto's Failure to Comply , as filed in <i>Monsanto Co. v.</i> gy Corp., 96-133-RRM, United		
	C46	Dismissal or Requirement Science, Inc District of Di	n the Ba nt of 35 to o., <i>Agrig</i> elawar	isis of Monsanto's Fa JSC § 112, ¶ 1 (Con Phetics, Inc., and Cit	allure to Comply with the cted), as filed in More as-Geigy Corp., 96 13:	tion Pursuant to rule 12(b)(6) for the Written Description santo Co. v. Mycogen Plant 3-RRM, United States Court		
	C47	Errata Sheet for Defendants' Mycogen Plant Science and Agneenetics Brief in Support of its Motion Pursuant to Rule 12(b)(6) for Dismissal on the Basis of Mynsanto's Failure to Comply with the Wnigen Description Requirement of 35 USC § 11.2, 1, a selled in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Color., 96-133-RRM, United States Cultu District of Delaware.						
	C48	Agricultics Compliance v Mycogen States Cour	s, Inc.'s with 35 <i>Plant S</i> t District	Motion Pursuant to F U.S.C. § 112 (Writt cience, Inc., Agrigen of Delaware.	to Defendants Mycogen Plant Science, Inc. and Rule 12(b)(6) Fed. R. Civ. P. for Dhymissal Based on Itten Description Requirement), as file in Monsanto Co. netics, Inc., and Ciba-Geigy Corp., 96-33-RRM, United			
	C49/	Civ. P., for Description	Dismissa Require c., <i>Agrig</i> e	al on the Basis of Mo ment of 35 U.S.C. § enetics, Inc., and Cib	nsanto's Failure to Co 112 ¶ 1, as filed in Mo	suant to Rule 12(b)(s), Fed. R. mply With the Writter, msanto Co. v. Mycogen Plant 3-RRM, United States Court		

Examiner		Date	
Signature	/Anne Kubelik/	Considered	02/22/2000
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					Application Number	07/827,906-Conf. #3375		
				CLOSURE	Filing Date	January 30, 1992		
S	ΓΆΤΕ	MENT I	BY AF	PPLICANT	First Named Inventor	Kenneth A. Barton	_	
					Art Unit	1638		
L	(0)	e as many sh	eets as ne	ecessary)	Examiner Name	A. R. Kubelik		
		5	Of	23	Attorney Docket Number	28079/41333		
	C50	Comply Wi v. Mycoger States Cou	th the W n <i>Plant S</i> at Distric	ntten Description Re cience, Inc., Agrigen t of Delaware.	or Dismissal on the Basis of Monsento's Failure to equirement of 35 U.S.C. § 112, as filed in Monsanto Co. netics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United			
	C51	Description Agrigenetic Delaware.	under 3 s, Inc. a	5 U.S.C. §112, as file and Ciba-Geigy Corp	ed in <i>Monsanto Co. v.</i> ., 96-133-RRM, United	validity for Lack of Written  Mycogen Plant Science, Inc.,  States Court District of		
	C52	112 (Inade Inc., Agrige Delaware.	quate Wi enetics, I	ritten Description) , a nc., and Ciba-Geigy	s filed in Monsayto Co Corp., 96-133 RRM, U	365 Patent Under 35 U.S.C. § b. v. Mycogen Plant Science, United States Court District of	Γ	
	C53	for Summa § 112, as fi Geigy Corp	ry Judgm led in <i>Ma</i> ., 96-133	nent of Invalidity for L onsanto Co. V. Mycoo 3-RRM, United State	.ack of Adequate Writt ge <i>n Plant Scienc</i> e, <i>Inc</i> s Court District of Dela			
	C54	Patent for L Mycogen P States Cou	ack of Want Scient District	Vritten Description Vi ence, Inc., Agrigene t of Delaware.	nder 35 U.S.C § 112, a cs, Inc., and Ciba-Gei	udgment of Invalidity of the '365 as filed in <i>Monsanto Co. v.</i> gy Corp., 96-133-RRM, United		
	C55	Motions for 112, as file Geigy Corp	Summa d in <i>Mon</i> ., 96-133	ry Judgment of Invali santo Co. v Mycoge 3-RRM, United State:	idity for Lack of Written in Plant Science, Inc., is Court District of Dela	n to Mycogen's and Ciba's n Description Under 35 U.S.C. § Agrigenetics, Inc., and Ciba- aware.		
	C56	Part, Denyi Pending Mo AGRIGENE DISTRICT	ng Plaint otions, A ETICS, III OF DELA	tiff's Mation For Judg S FILED IN MONSAI NC, AND CIBA-GEIO WARE.	ment as a Matter of La NTO CO. V. MYCOGE GY CORP., 96-133-RF	ludgment as a Matter of Law in aw in Part, and Denying Other EN PLANT SCIENCE, INC., RM, UNITED STATES COURT		
	C57	SCIENCE, STATES C	INC., AG OURT D	GRIGENETICS, INC., ISTRICT OF DELAW	, <i>AND CIBA-GEIGY C</i> IARE.	CO. V. MYCOGEN PLANT ORP., 96-133-RRM, UNITED		
Marries and a second	C58							
	C59	Morsanto ( 13/3-RRM, t	Co. v. My Jnited St	<i>rcogen Plant Science</i> tates Court District of	e, Inc., Agrigenetics, In f Delaware.	able Conduct, as filed in ac., and Ciba-Geigy Corp., 96-		
	C60	Agrigenetic Delaware, 2	s, <i>In</i> c., a 261 F.3d	nd Ciba-Geigy Corp. 1356 (Fed. Cir. 2001	., 96-133-RRM, United 1).	ogen Plant Science Inc., I States Court District of		
	C61	1998, as file	ed in <i>Moi</i>	nsanto Co. v. Mycog	Mr. Lynch (Monsanto), en Plant Science, Inc., s Court District of Dela	pages 63-84, dated June 15, , Agrigenetics, Inc., and Oba- sware.		

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Substitute for form 1449/PTO				Complete if Known		
				Application Number	07/827,906-Conf. #3375	
INFOR	MATION	I DIS	CLOSURE	Filing Date	January 30, 1992	
STATEMENT BY APPLICANT				First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
(0)	e as many sh	eets as ne	ecessary)	Examiner Name	A. R. Kubelik	
	6	Of	23	Attomey Docket Number	28079/41333	
C62	1998, a fil Geigy Con	ed in <i>Mo</i> 5., 96-13:	nsanto Co. v. Mycog 3-RRM, United State	en Plant Science, Inc s Court District of Dela	pages 122,136, dated June 15, ., Agrigenetics, Inc., and Ciba- aware.	
C63	Inc., and C	iba-Geig	8, as filed in <i>Monsan</i> y Corp., 96-133-RRN	to Co. v. Mycogen Pla I, United States Court	grigeretics), pages 138-168, ant science, Inc., Agrigenetics, t District of Delaware.	
C64	June 15, 1 and Ciba-C	998, as <b>1</b> Geigy Co.	led in Monsanto Co. A, 96-133-RRM, Un	v. Mycogen Plant Sci ited States Court Dist		
C65	195, dated Agrigenetic Delaware.	June 15 s, Inc., a	, 1998, as filed in Mo and Cibe-Geigy Corp.	nsanto Co. v. Mycoge , 96-133-RPM, United	ynch (Monsanto), pages 173- en Plant Science, Inc., d States Court District of	
C66	Agrigenetic Delaware.	es, Inc., a	and Ciba-Geigy Corp.	, 96-133-RRM, United	on by Mr. Lynch (Monsanto), . v. Mycogen Plant Science, Inc., d States Court District of	
C67	linc., and C	ıba-Geig	y Corp., 96-133-1∦RN	I,∜United States Court	rivas (Novartis), pages 234-244, ant Science, Inc., Agrigenetics, District of Delaware.	
C68	pages 244-	253. dat	ed June 16. 14198. as	filed in Monsanto Co.	lson (Mycogen/Agrigenetics), v. Mycogen Plant Science, Inc., d States Court District of	
C69	255, dated Agrigenetic Delaware.	June 16. s, Inc., a	, 1998 as filed in Mo and Giba-Geigy Corp.	nsanto Co. v. Mycoge , 96-133-RRM, United	Lynch (Monsanto), pages 254- en Plant Science, Inc., d States Court District of	
C70	as filed in h Corp., 96-1	∕lonsant 33-RKM	Co. v. Mycogen Pla , United States Court	nt Science, Inc., Aging District of Delaware.	s 255-257, dated June 16, 1998, genetics, Inc., and Ciba-Geigy	
C71	372, 375-39 Agrigenetic Delaware	Knotl (Monsanto), pages 357- V. My ogen Plant Science, Inc., d States Court District of				
C72	dated June Inc., and C.	16, 199 iba-Geig	3, as filed in <i>Monsani</i> y <i>Corp.</i> , 96-133-RRM	o Co. v. Mycogen Pla I, United States Court	Drivas (Novertis), pages 399-400, ant Science, No., Agrigenetics, District of Delaware.	
C73	Mycogen P States Cou	cript, Joh Agrigene lant Scie rt District	in Goolkasian, Cross tics), pages 401-422, ince, Inc., Agrigenetion t of Delaware.	examination by Mr. D dated June 16, 1998 ss, Inc., and Ciba-Gei	olickerson , as filed in <i>Monsanto Co. v.</i> gy Corp., 96-133-RPM, United	
C74	423, dated	June 16,	1998, as filed in Mor	nsanto Co. v. Mycoge	s. Knoll (Monsanto), pages 422- in Plant Science, Inc., Il States Court District of	

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Signature	/Anne Kubelik/	Considered	

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### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(See as many sheets as necessary) Of

23

Complete if Known Application Number 07/827,906-Conf. #3375 Fiting Date January 30, 1992 First Named Inventor Kenneth A. Barton Art Unit 1638 Examiner Name A. R. Kubelik Attorney Docket Number 28079/41333

C75 Trial Transcript, John Goolkasian Transition statements, pages 423-425, dated June 16, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agriganetics, Inc., and Clba-Geigy Corp., 90-133-RRM, United States Court District of Delaware.  C76 Trial Transarph, Dr. Nam-Hai Chua, Direct examination by Mr. Lynch (Monsanto), pages 427-327-327-327-328-328-328-328-328-328-328-328-328-328
<ul> <li>436, 440-472, dated June 16, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C77 Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Drivas (Novartis), pages 472-486, dated June 16, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C78 Trial Transcript, Dr. Nam-Hai Chua, Continued Cross examination by Mr. Drivas (Novartis), pages 503-538, dated June 17, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C79 Trial Transcript, Dr. Nam-Hai Chua, Cross eyamination by Mr. Olson (Mycogen/Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Cop., 96-133-RRM, United States Court District of Delaware.</li> <li>C80 Trial Transcript, Dr. Nam-Hai Chua, Bedingt examination by Mr. Lynch (Monsanto), pages 570-581, 594-605, dated June 17, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C81 Trial Transcript, Dr. Nam-Hai Chua, Dedingt examination by Mr. Lynch (Monsanto), pages 570-581, 594-605, dated June 17, 1998, as filed in Monsanto, pages 505-606, dated June 17, 1998, as filed in Monsanto, pages 17-187, pages 605-606, dated June 17, 1998, as filed in Monsanto, pages 17-187, pages 605-606, dated June 18, 1998, as filed in Monsanto, pages 17-187, pages 605-606, dated June 18, 1998, as filed in Monsanto, pages 105-187, pages 605-606, dated June 18, 1998, as filed in Monsanto, po. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C82 Trial Transcript, Deposition Trestimony of Kenneth Bardo, pages 1047-1064, dated June 18, 1998, a</li></ul>
<ul> <li>486, dated June 16, 1998, as filed in Monsanto Co. v. Myoogen Plant Science, inc., Agrigenetics, Inc., and Cibs-Geigy Corp., 96-133-RRM, Inited States Court District of Delaware.</li> <li>C78 Trial Transcript, Dr. Nam-Nai Chua, Continued Cross examination by Mr. Drivas (Novartis), pages 503-538, dated June 17, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C79 Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 538-570, dated June 17, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Cop., 96-133-RRM, United States Court District of Delaware.</li> <li>C80 Trial Transcript, Dr. Nam-Hai Chua, Bedingt examination by Mr. Lynch (Monsanto), pages 570-581, 594-605, dated June 17, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C81 Trial Transcript, Dr. Nam-Hai Chua Transition Statements, pages 605-606, dated June 17, 1998, as filed in Monsanto Go. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C82 Trial Transcript, Deposition Testimony of Kenneth Bardo, pages 1047-1064, dated June 18, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C82 Trial Transcript, Deposition Testimony of Kenneth Bardo, pages 1047-1064, dated June 18, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> </ul>
pages 503-538, dated June 17, 1988, as filed in Mynisanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Peigy Corp., 96-133/RRM, United States Court District of Delaware.  C79 Trial Transcript, Dr. Nam-Hai Chub, Cross estimination by Mr. Olson (Mycogen/Agrigenetics), pages 538-570, dated June 17, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Cop., 96-133-RRM, United States Court District of Delaware.  C80 Trial Transcript, Dr. Nam-Hai Chua, Bediffict examination by Mr. Lynch (Monsanto), pages 570-581, 594-695, dated June 17, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.  C81 Trial Transcript, Dr. Nam-Hai Chua Transition Statements, pages 605-606, dated June 17, 1998, as filed in Monsanto (b. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.  C82 Trial Transcript, Depositif n Estimony of Kenneth Bardo, pages 1047-1064, dated June 18, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Cop., 96-133-RRM, United States Court District of Delaware.
pages 538-570, dated June 17, 1998, as filled in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Cox. p. 66-133-RRM, United States Court District of Delaware.  C80 Trial Transcript, Dr. Nam-Hai Chua, Bedirect examination by Mr. Lynch (Monsanto), pages 570-581, 594-605, dated June 17, 4988, as tigled in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.  C81 Trial Transcript, Dr. Nam-Hai Zhua Transition Statements, pages 605-606, dated June 17, 1998, as filled in Monsanto 60 v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.  C82 Trial Transcript, Deposition Testimony of Kenneth Bards, pages 1047-1064, dated June 18, 1998, as filled in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.
<ul> <li>570-581, 594-605, dated June 17, /998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Claba-feigy Corp., 36-133-RRM, United States Court District of Delaware.</li> <li>C81 Trial Transcript, Dr. Nam-Hai Zhua Transition Statements, pages 605-606, dated June 17, 1998, as filed in Monsanto Go. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Claba-Gery Corp., 96-133-RRM, United States Court District of Delaware.</li> <li>C82 Trial Transcript, Deposition Testimony of Kenneth Bards, pages 1047-1064, dated June 18, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Clba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.</li> </ul>
<ul> <li>1998, as filed in Monsanto fo. v. Mycopen Plant Suence, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRW United States Court District O Delaware.</li> <li>C82 Trial Transcript, Deposition Testimony of Kenneth Bandon, pages 1047-1064, dated June 18, 1998, as filed in Monsanto Co. v. Mycopen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133/RRW, United States Court District of Delaware.</li> </ul>
1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba- Geigy Corp., 96-133 RRM, United States Court District of Delaware.
C83 Trial Transcript John Dowbirst Direct examination by Mr. Davis (November 1997)
dated June 18, 1698, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba Geigy Corp., 96-133-RRM, United States Court District of Delaware.
C84 Trial Transcroft, John Dewhirst, Cross examination by Ms. Knoll (Mensanto), pages1080-1088, dated Jung-18, 1998, as filed in Monsanto Co. v. Nycogen Plant Science, Inc., Agrigenetics, Inc., and Clas-Geigy Corp., 96-133-RRM, United States Court District & Delaware.
C85 Trial Tyfnscript, John Dewhirst, Redirect examination by Mr. Drivas (Novartis), pages 1088- 1091/dated June 18, 1998, as filed in Monsanto Co v. Mycogen Plant Scapnee, Inc., Agricentics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Coun District of Delaware.
C86 frial Transcript, Deposition Testimony of Michael Miller, pages 1102-1110, date June 19, 1998, as filed in Monsanto Co. Whocoaen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.
7 Trial Transcript, Deposition Testimony of Sandra Cannon, pages 1110-1123, dated June 19, 1998, as filed in Monsanto Co. v. Wycogen Plant Science, Inc., Agrigenetics, Inc., and Obelegiy Corp., 96-133-RRM, United States Court District of Delaware.

Examiner	/Anne Kubelik/	Date	02/23/2009	ī
Signature	/Attie Rabello	Considered		,

PTO/SD09b (10-08)
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Subsi	itute for fo	rm 1449/PTO			Complete if Known			
					Application Number	07/827,906-Conf. #3375		
IN.	FOR	MATION	I DI	SCLOSURE	Filing Date	January 30, 1992		
ST	ATE	MENT E	3Y /	APPLICANT	First Named Inventor	Kenneth A. Barton		
					Art Unit	1638	-	
	(8%	e as many sh	eets as	necessary)	Examiner Name	A. R. Kubelik		
		8	Of	23	Attorney Docket Number	28079/41333		
	C88	TrialTenna	oriest 7	Innaition Ctatements -	and the state of t	er and Sangra Cannon, pages		
		1125, date Agrigenevio Delaware.	d June s, Inc.	e 19, 1998, as filed in M , and Ciba-Geigy Corp	lonsanto Co. v. Mycog ., 96-133-RRM, United	gen Plant Science, Inc., d States Court District of		
	C89	as filed in A Corp., 96-1	/orisa 33-Ri	nto Co. v. Mycogen Pla M, United States Cour	int Science, Inc., Agric t District of Delaware,			
	C90	1998, as fill Geigy Com	ed in <i>l</i> ., 96-	Monsanto Co. v. Mycog 133-RRM, United State	en Plant Science Inc. s Court District of Dela	s 1137-1139, dated June 19, ., Agrigenetics, Inc., and Ciba- aware.	Γ	
	C91	1155, dated	d June	: 19, 1998, as filed in M	onsanto Co./v. Mvcoc	ransition statement, pages 1140- ten Plant Science, Inc., d States Court District of		
	C92	1161-1219, Plant Scien Court Distri	1223 ce, Inct of E	-1238, 1250-1260, date c., Agrigenetics, line, a Delaware.	ed June 19, 1998, as f nd Ciba-Geigy Corp.,	Mr. Drivas (Novartis), pages iled in <i>Monsanto Co. v. Mycogen</i> 96-133-RRM, United States		
	C93	pages 1260	-1286	i, dated June 19, 19#8,	as filed in Monsanto	Mr. Mr. Lynch (Monsanto), Co. v. Mycogen Plant Science, Inited States Court District of		
	C94	Agrigenetic Delaware.	dated s, Inc.	June 19, 1998, as filed , and Ciba Geigy Corp.	d in Monsento Co. v. I , 96-133-RRM, United	by Mr. Drivas (Novartis), pages Mycogen Plant Science, Inc., I States Court District of		
		as filed in A Corp., 96-1	ionsa 33-RF	nto Co. v. Mycogen Pla RM United States Cour	nt Science, Inc., Agrig t District of Delaware.	337-1342, dated June 19, 1998, genetics, Inc., and Ciba-Geigy		
		pages 1392 Inc., Agrige Delaware.	-1409 netics	, dated June 24, 1998, , Inc., and Ciba-Geigy	as filed in Monsanto o Corp., 96-133-RRM, U	ise (Mycogen/Agrigenetics), 20. v. Mycogen Plant Science, Inited States Court District of		
		1413, dayed Agrigenetic Delayare.	l June s, Inc.	24, 1998, as filed in M , and Ciba-Geigy Corp.	onsanto Co. v. Mycog , 96-133-RRM, United	States Court District of		
		(Mycogen/A Mycogen P States Cou	kgrige lant S rt Dist	netics), pages 1413-14 cience, Inc., Agrigenetic rict of Delaware.	18, dated June 24, 19 cs, Inc., and Ciba-Gei	nsition statement by Mr. Guise 98, as filed in Mensanto Co. v. gy Corp., 96-133-RRM, United		
	9	Trial Transo pages 1418	ript, N -1453	flichel Adang, Direct ex , dated June 24, 1998,	amination by Mr. Mah as filed in Monsanto (	aney (Mycogen/Agrigonetics), Co. v. Mycogen Plant Science,		

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n	Examiner		Date	
<b>/</b> E	Signature	/Anne Kubelik/	Considered	02/23/2009

Delaware.

Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(See as many sheets as necessary)

Complete if Known Application Number 07/827,906-Conf. #3375 Filing Date January 30, 1992 First Named Inventor Kenneth A. Barton Art Unit 1638 Examiner Name A. R. Kubelik

				Examiner Name	A. R. Kubelik
	9	Of	23	Attorney Docket Number	28079/41333
	1487, dated Agrigenetic Delaware.	June s, Inc.	24, 1998, as filed in M , and Ciba-Geigy Corp.	onsanto Co. v. Mycog , 96-133-RRM, United	ch (Monsarlo), pages 1453- gen Plant Science, Inc., d States Court District of
	pages 1487 Inc., Agrige Delaware.	r-1492 netics	, dated June 24, 1998, Inc., and Ciba-Geigy	as filed in Monsanto Corp., 96-133-RRM, 1	lah hey (Mycogen/Agrigenetics), Co. v. Mycogen Plant Science, mited States Court District of
C102	pages 1497 Inc., Agrige Delaware.	-1514 netics,	, dated June 24, 1998, , Inc., and Ciba-Geigy	as filed in Monsanto ( Corp., 96-133 RRM, U	on (Mycogen/Agrigenetics), Co. v Mycogen Plant Science, United States Court District of
C103	1531, dated Agrigenetic Delaware.	l June s, <i>Inc.</i> ,	24, 1998, as filed in M , and Ciba-Geby Corp.	onsanto Co. v. Mycog , 96-173-RRM, United	States Court District of
	(Mycogen/A Mycogen Po States Cour	kgriger lant So t Distr	netics), pages 1532-15; cience, Inc., Agrigene rict of Delaware.	36, dated June 24, 19 s, Inc., and Ciba-Gei	sition statement by Mr. Olson 98, as filed in Monsanto Co. v. gy Corp., 96-133-RRM, United
	1998, as file Geigy Corp	ed in A ., 96-1	Nonsanto Co. v. Mycog 33-RRM, United States	en Phont Science, Inc. Count District of Dela	es 1537-1538, dated June 24, , Agrigenetics, Inc., and Ciba-
C106	Trial Transo	ript, J	oseph Falkimam, Dire dated June 24, 1998	ct examination by Mr.	Olson (Mycogen/Agrigenetics), Co. v. Mycogen Plant Science, Inited States Court District of
C107	1666-1696, Agrigenetic Delaware.	dated s, Inc.,	Jyne 25, 1998, as filed and Ciba-Geigy Corp.	in Monsanto Co. A., , 96-133-RRM, United	Lynch (Monsanto), pages 1655, Mycogen Plant Science, Inc., I States Court District of
	Olson (Myce Co. v. Myce United State	gen// gen P es Cou	Agrigenetics), pages 16 Plant Science, Inc., Agri urt District of Delaware.	96-1707, dated June genetics, Inc., and Cit	transition statement by Mr. 25, 1998, as filed in <i>Monsanto</i> pa-Geby Corp., 96-133-RRM,
	1707 1708, Agggenetics Delaware.	dated s, Inc.,	June 25, 1998, as filed and Ciba-Geigy Corp.	in Monsanto Co. v. A , 96-133-RRM, United	nd transition statements, pages Mycogen Plant Science, Inc., I States Court District of
	1712-1773, Agrigenetic: Delaware.	dated s, Inc.,	June 25, 1998, as filed and Ciba-Geigy Corp.	in Monsanto Co. v. A , 96-133-RRM, United	
C111	dated June	25, 19	red Perlak, Cross exam 198, as filed in <i>Monsant</i> <i>igy Corp.</i> , 96-133-RRM	o Co. v. Mycogen Pla	(Novartis), pages 1773-1821, nt Science, Inc., Agrigenellas, District of Delaware.

Examiner		Date	00/00/0000
Signature	/Anne Kuhelik/	Considered	02/23/2009

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		Application Number 07/827,906-Conf. #3375					
			SCLOSURE	Filing Date	January 30, 1992		
STATE	MENTE	3Y /	APPLICANT	First Named Inventor	Kenneth A. Barton		
	(See as many sheets as necessary)			Art Unit	1638		
(0)	e as many sne	ets as	necessary)	Examiner Name	A. R. Kubelik		
	10	Of	23	Attorney Docket Number	28079/41333		
C112	Trial Transa	rint C	and Bodok Cross suss	ainati-a b. M. Ol-	(Mycogen/Agrigenetics), pages	-uca	
	1821-1841, Agrigenetics Delaware.	dated s, Inc.	d June 25, 1998, as filed , and Ciba-Geigy Corp.	d in <i>Monsanto Ço. v. I</i> , 96-133-RRM, United	Mycogen Plant Science, Inc., d States Court District of		
	1843, and to June 25, 19 and Ciba-G	an siti 98, a eigy (	ion statement by Mr. Oli filed in <i>Monsanto Co.</i> Syp., 96-133-RRM, Uni	son (Mycogen/Agrige) v. <i>Mycogen Plant Sci</i> ited States Court Dist	ch (Monsanto), pages 1842- nytics), pages 1843-1844 dated ence, Inc., Agrigenetics, Inc., rict of Delaware.		
	dated June Inc., and Cit	25, 19 ba-Ge	998, as filed in Monsani eigy Coxo., 96-133-RRM	to Co. v. Mycogen Pla I, United States Court	Monsanto), pages 1845-1855, int Science, Inc., Agrigenetics, District of Delaware.		
	June 25, 19 and Ciba-G	98, a: eigy (	s filed in <i>Monsanto Co.</i> C <i>orp.</i> , 96-133 RRM, Uni	v. Mycogen Plant Sciented States Court District	(Novartis), page 1855, dated ence, Inc., Agrigenetics, Inc., rict of Delaware.		
	C116 Trial Transcript, Roy Fuchs, Crox examination by Mr. Dickerson (Mycogen/Agrigenetics), pages 1855-1860, dated June 25, 1998, as fish in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geory Copt., 96-133-RRM, United States Court District of Delaware.						
C117	Idated June	25. 19	Harry Klee, Direct exam 1998, as filed in <i>Monsant</i> 1998, Corp., 96-133 RRN	Co v Mycogen Pla	onsanto), pages 1867-1874, Int Science, Inc., Agrigenetics, District of Delaware.		
	Trial Transc dated June Inc., and Cil	ript, F 25, 19 5a-Ge	larry Klee, Cross exami 1998, as filed in Monsant 1997 Corp., 98-133-RRM	ination by Mr. Drivas ( to Co. Mycogen Pla I. United States Court	Novartis), pages 1874-1875, nt Science, Inc., Agrigenetics, District of Delaware		
	Trial Transc pages 1875 Inc., Agriger Delaware.	ript, F -1878 r <i>eti</i> cs	larry Klee Cross exami , dated June 25, 1998, , Inc., and Ciba-Geigy (	nation by Mr. Mahane as filed in <i>Monsanto</i> C Corp., 96-133-PRM, U	ey (Mycogen/Agrigenetics), Co. v. Mycogen Plant Science, Inited States Court District of		
	O Trial Transcript, Ling& Hanley Bowdoin, Direct examination by Mr. Lee (Monsanto), pages 1880-1885, dated June 25, 1998, as filed in Monsanto Co. v. Wycogen Plant Science, Inc., Agrigenetics, Ingl. and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.						
C121	1 Trial Transcopt, Linda Hanley Bowdoin, Cross examination by Mr. Nervas (Novantis), pages 1885-1887, 'dated June 25, 1998, as filed in Monsanto Co. v. Mycopto Plant Science, Inc., Agrigengles, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delawafe.						
	C122 Trial franscript, Tom Rogers, Direct examination by Ms. Knoll (Monsanto), oages 1887-1894, dated June 25, 1998, as filled in Monsanto Co. v. Mycogen Plant Science, Ins., Agrigenetics, I/o., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delayare.						
C123	Inc., and Cit	25, 19 oa-Ge	998, as filed in Monsant igy Corp., 96-133-RRM	o Co. v. Mycogen Pla. , United States Court	s (Novartis), pages 1894-1897, nt Science, Inc., Agrigenetics, District of Delaware.		
2124	dated June :	25, 19	998, as filed in Monsant	examination by Mr. Lee (Monsanto), pages 1837-1902, nto Co. v. Mycogen Plant Science, Inc., Agrigenetics, M, United States Court District of Delaware.			

Examiner /Anne Kubelik/	Date Considered	02/23/2009	1
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### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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07/827,906-Conf. #3375 Application Number Filing Date January 30, 1992 First Named Inventor Kenneth A. Barton Art Unit 1638

se as many sheets as necessary) Examiner Name A. R. Kubelik 23 Attorney Docket Number 28079/41333 ranscript, Toni Armstrong, Cross examination by Mr. Oelke (Novaris), pages 1902-1903, Oated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. C122 Trial Transcript, Toni Armstrong, Cross examination by Mr. Dickerson (Mycogen/Agrigenetics), page 1903, 34ed June 25, 1998, as filed in Monsanto Co v. MyGogen Plant Science, Inc., Agrigenetics, Inc., and Cibe-Ceigr Corp., 96-133-RRM, United States Court District of Delaware. Trial Transcript, Jeanne Layton, Direct examination by Mr Lee (Monsanto), pages 1904-1912, dated June 25, 1998, as filled in Monsanto Co. v. Mycogén Plant Science, Inc., Agrigenetics, Inc., and Cibe-Geigy Cop., 95-133-RRM, United States Court District of Delaware. C128 Trial Transcript, Jeanne Layton, Cross examination by Mr. Oelke (Novartis), page 1912, dated June 25, 1998, as filed in Mansanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-13 RRM, United States Court District of Delaware.

C129 Trial Transcript, David Fishhoft, Direct examination by Ms. Knoll (Monsanto), pages 1924-1963, dated June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. C130 Trial Transcript, David Fishhoff, Cross remination by Mr. Drivas (Novartis), pages 1963-2018, dated June 26, 1998, as filed in Monyant-Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Clba-Geigv Corp., 96-133 RRM, United States Court District of Delaware.

C131 Trial Transcript, David Fishhoff, of ose examination by Mr. Olson (Mycogen/Agrigenetics), pages 2018-2044, dated June & 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Goa-Geigy Corp., 98-133-RRM, United States Court District of Co. Delaware. C132 Trial Transcript, David Fig.hoff, Redirect examination by Ms. Knoll (Monsanto), pages 2045-2046, dated June 26, 1988, as filed in Monsanto Co. V. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Clas-Geigy Corp., 36-133-RRM, Optied States Court District of C133 Trial Transcript, Transition statements examination by Mr. Lynch (Monsanto) and Mr. Drivas (Novartis), pages 2047-2051, dated June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., furgienetics, Inc., and Ciba-Geigr Copp., 96-133-187M, United States Court District of Del C134 Trial Transcript, Deposition transcript of Walter Wright, pages 2051-2056, dated June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigoretics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Trial ranscript, Dr. Nam-Hai Chua, Direct examination by Mr. Lynch (Monsanto), pages 2057-2071, dated June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of

- 4	Examiner	/Anne Kubelik/	Date	$\neg$
/	Signature		Considered	

Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Olson (Mycogen/Agigenetics), pages 2087-2096, dated June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of

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### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known					
Application Number	07/827,906-Conf. #3375				
Filing Date	January 30, 1992				
First Named Inventor	Kenneth A. Barton				
Art Unit	1638				
Examiner Name	A. R. Kubelik				
Attorney Docket Number	28079/41333				

				Examiner Name A. R. Kubelik		
	12	Of	23	Attorney Docket Number	28079/41333	_
C137	2209-2827	dated,	June 26, 1998, as filed	in Monsanto Co. v. I	on inequitable conduct, pages Mycogen Plant Science, Inc., d States Court District of	_
C138	Trial Trans	age 22 nc., Ag	228-2253, dated June 2 ggenetics, Inc., and Cib	26, 1998, as filed in M	n/Agrigenetics) on inequitable logisanto Co. v. Mycogen Plant B-RRM, United States Court	-
	29, 1998, Ciba-Geig	as filed y Corp.	in Mansanto Co. v. My , 96-138-RRM, United :	cogen Plant Science, States Court District o	pages 2277-2319, dated June Inc., Agrigenetics, Inc., and of Delaware.	
	Trial Trans 1998, as fi Geigy Cor	script, C led in A p., 96-1	Closing Argument by Mr Monsanto Co. v. Mycog 33-RRM, United States	. Drivas (Novartis), pa en Plant Science, Inc. s Court District of Dela	ages 2320-2369, dated June 29, , Agrigenetics, Inc., and Ciba- aware.	_
	lnc., and C	e 29, 19 Ciba-Ge	998, as filed in Monsani igy Corp., 96-133 RN	to C. v. Mycogen Pla I, United States Court	ngenetics), pages 2371-2414, ant Science, Inc., Agrigenetics, District of Delaware.	
	Ciba-Geig	y Corp.	, 96-133-RRM, United S	States Court District o	pages 2414-2421, dated June Inc., Agrigenetics, Inc., and f Delaware.	
C143	1998, as fi Geigy Cor	led in A p., 96-1	fonsanto Co. v Mycogi 33-RRM, United States	en Plant Science, Inc. Court District of Dela	ages 2421-2422, dated June 29, , <i>Agrigenetics, Inc., and Ciba-</i> aware.	
	Inc., and C	e 29, 19 Siba-Ge	198, as filed in Monsant igy Corp., 96-133-RRN	o Co. v. Mycogen Pla I, United States Court	grigenetics), pages 2422-2424, int Science, Inc., Agrigenetics, District of Delaware	esco.
	Trial Trans 2432-2446 Agrigeneti Delaware	cript, C i, dated cs, Inc.,	pening Statement by M June 29, 1998, as filed and Ciba-Geigy Corp.	fr. Lynch (Monsanto) I in <i>Monsanto Co. v. N</i> , 96-133-RRM, United	on inequitable conduct, pages Mycogen Plant Science, Inc., I States Court District of	
	(Mycogen/ Mycogen F States Cou	Agriger Plant So At Distr	cience, Inc., Agrigenetion ict of Delaware.	93, dated June 29, 199 ss, Inc., and Ciba-Geig	98. as filed in <i>Monsanto Co. v.</i> gy Corp., 96-133-RRM, United	_
C147	2493-2505 Agrigenetic Delaware.	, dated cs, Inc.,	June 29, 1998, as filed and Ciba-Geigy Corp.	I in Monsanto Co. v. M , 96-133-RRM, United	Lynch (Nonsanto), pages Mycogen Plant Science, Inc., States Court District of	
	Mycogen/ Mycogen F States Cou	Agriger Plant So urt Distr	cience, Inc., Agrigenetion	99, dated June 29, 199 s, Inc., and Ciba-Geig	98, as filed in Monganto Co. v. gy Corp., 96-133-RPM, United	
149	2509-2547	, dated	June 29, 1998, as filed	l in Monsanto Co. v. N	(Mycogen/Agrigenetics), pages Mycogen Plant Science, Inc., I States Court District of	_

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		/Anne Kubelik/		02/23/2009
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						Application Number	07/827,906-Conf. #3375		
INFC	<b>PRM</b>	ATION	I DI	SCLOSU	RE	Filing Date	January 30, 1992		
STA	TEN	IENT E	3Y /	APPLICA	NT	First Named Inventor Kenneth A. Barton			
1 '						Art Unit	1638		
	(Ose 2	as many she	ets as	necessary)		Examiner Name	A. R. Kubelik		
	13		Of	23		Attorney Docket Number	28079/41333		
	(I A S	Mycogen/A Mycogen P States Cou	Agrige lant S at Dist	netics), pages cience, Inc., A rict of Delawar	2582-26 grigeneti e.	cs, Inc., and Ciba-Ge	. Tomasch 8, as filed in <i>Monsanto Co. v.</i> igy Corp., 96-133-RRM, United lovants), pages 2614-2645, dated		
	C C	uly 8, 1998 Siba-Geigy	Com	iled in <i>Monsan</i> 96-133-RRM	to Co. v.	Mycogen Plant Scier States Court District of	nce, Inc., Agrigenetics, Inc., and Delaware.		
	d Ir	ated July 8 nc., and Ci	8, 199 <i>ba-G</i>	8, as filed in Meigy Opp., 96-	lonsanto 133-RRN	Co. v. Mycogen Plan I, United States Cour	onsanto), pages 2646-2658, It Science, Inc., Agrigenetics, It District of Delaware.		
	C13 Trial Transcript, Closing argument by Mr. Tomasch (McGogen/Agrigenetics) or inequitab conduct, pages 2689-2686, dated July 8, 1998, as 1964 in Monsanto Co. v. Mycogen Pla Science, Inc., Agrigenetics, Ngc., and Ciba-Geigy Corp., 96-133-RRM, United States Cou District of Delaware.				nsanto Co. v. Mycogen Plant 3-RRM, United States Court				
	2 A	Trial Transcript, Closing argument by Mr. Drivat (Novartis) on inequitable co 2691-2699, dated July 8, 1998, askiled in Monsanto Co. v. Mycogen Plant S Agrigenetics, Inc., and Ciba-Geigy Corp., 98-133-RRM, United States Court Delaware.				ycogen Plant Science, Inc., d States Court District of			
С	1 G	Trial Transcript, Closing argument by M Lynch (Monsanto), pages 2699-2708, dated July 8, 1998, as filled in Monsanto Co. v. Mygoger Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.				., Agrigenetics, Inc., and Ciba- aware.			
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1	S	xpert repo	c., Ag	rigenetics, Inc.,	am, subn , <i>and Cib</i>	nitted 4/15/98 in Mons a-Geigy Corp., 96-13	santo Co. v. Mycogen Plant 3-RRM, United States Court		

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S	STATEMENT BY APPLICANT				First Named Inventor	Kenneth A. Barton	_	
					Art Unit	1638	_	
	(Use as many sheets as necessary)			necessary)	Examiner Name	A. R. Kubelik	_	
		14	Of	23	Attorney Docket Number	28079/41333	_	
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		Science, In District of D	c. Ag Delay	ingenetics, Inc., and Cib are	pa-Geigy Corp., 96-13	santo Co. v. Mycogen Plant 3-PRM, United States Court		
		Expert report of John Goolkasian, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agricultus, Inc., and Ciba-Geigy Corp., 96-33-RRM, United States Court District of Delaware.						
		Expert report of John Goolkasian, submitted 4/15/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetis, Inc., and Ciba-Geigy Corpt, 96-133-RRM, United States Court District of Delaware.						
		Expert report of Julia Bailey Serres, submitted 4/15/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geig/ Corp., 96-133-RRM, United States Court District of Delaware.						
		Expert report of Nam-Hai Chua, sopmitted4/5/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Gargy Corp., 96-133-RRM, United States Court District of Delaware.						
		70 Expert report of Nam-Hai Chua, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba Geigy Corp., 96-133-RRM, United States Court District of Delaware.						
	C171	in Mycoger	Plan	oonses to Mycogen's Fir t, et al. v. Mondanto Con nia (San Diego).	st Se of Interrogatori mpany, 95-CV-653, U	es, dated July 10, 1995, as filed .S. District Court, Southem	_	

ı	0.00	Inc., Agrigenetics, Inc., and Ciba-Gérgy Corp., 96-133-RRM, United States Court District of Delaware.	Ì
		Expert report of Nam-Hai Chua, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
		Monsanto's Responses to Mycogén's First Set of Interrogatories, dated July 10, 1995, as filed in Mycogen Plant, et al. v. Monfanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
		Monsanto's Responses to Plaintiffs' Fourth Set of Interrogatories, dated January 21, 1997, as filed in Mycogen Plant, eyel. v. Monsanto Company, \$5-CV-653, U.S. District Court, Southern District of California (Saf Diego).	
	C173	Mycogen Plant Science, Inc. and Agrigenetics, Inc.'s Responses to Monsanto's First Set of Interrogationes (Nos. 1-11), dated June 24, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV_553, U.S. District Court, Southern District & California (San Diego).	
		Mycogen's Notifie of Molion and Molion for Summary Judgmerhof Velidity and Memorandum of Points and Juthorities in Support of Its Motion for Summary Judgment of Validity (includes Declaration at Laurenson in Support), dated December 28, 1995, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	C175	Mycogon's Statement of Undisputed Facts in Support of its Motion for Summary Judgment of Validfly, dated December 28, 1995, as filed in Mycogen Plant, et al. v. Mohanto Company, 95,CV-653, U.S. District Court, Southern District of California (San Diego).	_
		Jonsanto's Memorandum in Opposition to Mycogen's Motion for Summary Jukament of Validity and Exhibits in Support, filed July 24, 1996, as filed in Mycogen Plant, edy. v Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California San Diego).	
I	£177	Mycogen's Reply in Support of Its Motion for Summary Judgment of Validity, dated August 5,	

L_/	1996, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	

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<b>/</b> I	Signature	/Anne Kubelik/	Considered	02/23/2009	_

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			Application Number 07/827,906-Conf. #3375			
		SCLOSURE	Filing Date	January 30, 1992		
STATE	MENT BY	APPLICANT	First Named Inventor	Kenneth A. Barton		
<u>\</u>			Art Unit	1638		
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	13 Of	23	Attorney Docket Number	28079/41333		
C178	Judgment Re Int Claim Constructi Company, 95-C	erpretation of 35 U.S.C. on, filed August 15, 199 /-653, U.S. District Cour on and Notice of Motion	§ 271(g); Granting M 6, as filed in Mycogen t, Southern District of for Summary Judgme	oving Motion for Summary otion for Summary Judgment on a Plant et al. v. Monsanto California (San Diego). ent of Invalidity Under 35 U.S.C.		
	Plant, et al. v. M California (San E	nsanto Company, 95-C Diego).	V-653, U.S. District 9	burt, Southern District of		
C180	Invalidity Under	35 U.S.C. § 102(a) and 8	§ 103 (includes Decla 1998, as filed in Myco	gen Plant, et al. v. Monsanto		
C181	Reply Brief of Mo U.S.C. § 102(g) Company, 95-CV	Reply Brief of Monsanto in Support of Its Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g) and § 103, dated April 20, 1939) as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. Dishot Court, Southern District of California (San Diego).				
C182	U.S. Patent No. as filed in Mycog Southern District	5,380,831 (includes Dec en Plant, et al. v. Mossa of California (San Die	la/ation of Melinda Pa into Company, 95-CV o).	ent of Invalidity of Claims 1-12 of atterson), dated March 30, 1998, 4-653, U.S. District Court,		
C183	12 of U.S. Paten Appendix), dated CV-653, U.S. Dis	t No. 5,380,831 (include I April 13, 1998, as filed strict Court, Soythem Dis	s Declaration of F.T. A in Mycogen Plant, et a strict of California (Sai	gment of Invalidity of Claims 1- Alexandra Mahaney and al. v. Monsanto Company, 95- n Diego).		
C184	Reply Memorand Claims 1-12 of U al. v. Monsanto ( Diego).	lum in Support of Monsa .S. Patent 10. 5,380,83 Company 95-CV-653, U	anto's Motion for Sum 1, dated April 20, 199 S. District Court, Sou	mary Judgment of Invalidity of 8, as filed in <i>Mycogen Plant, et</i> them District of California (San		
C185	U.S.C. §§ 102(g) 35 U.S.C. § 112 Monsanto Comp Diego).	and 103; Order Denying a Moot, filed November any, 95-CV-653, U.S. Di	g Monsanto's Motion i r 10, 1999, as filed in strict Court, Southern	District of California (San		
C186	reversing summa	ry judgment of invalidity	under 35 U.S.C. § 10			
C187	Summary Judgm 19, 2001, as filed Court, Southern	ent of Invalidity of Claim I in <i>Myc</i> oge <i>n Plant, et al</i> District of California (Sar	is 1-12 of U.S. Patent v. Monsanto Compa n Diego).	ort of Monsanto's Motion for No. 5,380 931, filed November ny, 95-CV-633, U.S. District		
	of Claims 1-12 of Plant, et al. v. Mo California (San D	U.S. Patent No. 5,380,6 nnsanto Company, 95-C riego).	331, dated December V-653, U.S. District C	ummary Judgment of Invalidity 3, 2001, as filed in <i>Mycogen</i> ourt, Southern District of		
C189	as filed in Mycog	llidity of Claims 1-12 of t	J.S. Patent No. 5,380 Into Company, 95-CV	onsanto's Motion for Summary ,831, dated December 10, 2001, -653, U.S. District Court,		

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### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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	Complete if Known
Application Number	07/827,906-Conf. #3375
Filing Date	January 30, 1992
First Named Inventor	Kenneth A. Barton
Art Unit	1638
Examiner Name	A. R. Kubelik
Attorney Docket Number	28079/41333

	OrdeDenying Monsanto's Motion for Summary Judgment, dated June 4, 2002, as filed in Mycoglo Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of Califonia (San Diego).	
C191	Plant, et al. Monsanto Company, 95-CV-653, U.S. District Cours, Southern District of California (San Diego).	
C192	Plant, et al. v. Momanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	Г
	Expert Report of Dr. Joechim Messing, dated November 13, 2003, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diago).	
C194	Mycogen Plant, et al. v. Monsanto Company, 95 CV-653, U.S. District Court, Southern District of California (San Diego).	
	Notice of DeKalb Pursuant to 35 U.S.C. § 28 ² , dated December 12, 1997, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , b. al. 1,996-cv-00505-RRM, U.S. District Court, District of Delaware (Willmington).	
C196	Notice Under 35 U.S.C. § 282 by Mongatio and Delta and Pine Land Company, dated December 20, 1997, as filed in <i>Mycoden Pant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Willmigton).	
C197	Interrogatories, dated December 9, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00506-RRM, U.S. District Court. District of Delaware (Wilmington)	
	Mycogen's Response to Myrisanto's First Set of Intercogatories, dated June 24, 1997, as filed in Mycogen Plant, et al. v Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wyrnington).	
	Mycogen's Supplemental Response to Monsanto's First Set of Interrogatories, dated December 23, 1997, as filed in Mycogen Plant, et al. v. Monanto Company, et al, 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Willinington).	
	Monsanto's Responses to Mycogen's and Agrigenetics' First Set of Interrogatories, dated April 23, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C201	November 21, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv- 00505 RRM, U.S. District Court, District of Delaware (Wilmington).	
C202	dayed April 28, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Mycogen's and Agrigenetics' Motion for Judgment as a Matter of Law Under Fed R. Civ. P. 50, dated February 20, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:95-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C204	Mycogen's and Agrigenetics' Post-Trial Brief in Support of Motion for Judgment as a Matter of Law Under Fed. R. Civ. P. 50 (includes Appendix, dated March 20, 1998, as filed in Mycopen Plant, et al. v. Monsanto Company, et al, 1:98-cv-00505-RRM, U.S. District Court, District No Delaware (Wilmington).	

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				Application Number	07/827,9	06-Conf. #3375	
			SCLOSURE	Filing Date January 30, 1992			
ST	ΆTΕ	MENT BY	APPLICANT	First Named Inventor Kenneth A. Barton			
l				Art Unit	1638		
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		1) 01	23	Attorney Docket Numb	per 28079/4	1333	
		Matter of Law Ur 448.2, 448.3 and Company, et al, Memorandum of of Law, dated Ap	Delta and Pine Land's ( nder Fed. R. Civ. P. 50 I 448.4), dated April 27, 1:96-cv-00505-RRM, U DeKalb Genetics in Op Til 27, 1998, as filed in I RM, U.S. District Court	(includes Appendix 1998, as filed in M.S. District Court, I position to Plaintiff Mycogen Plant, et	in Support; Mycogen Plant, District of Dela 's Motion for J al. v. Monsant	ee Appendix OP et al. v. Monsanto ware (Wilmington). ludgment as a Matter to Company, et al.	
	C207	Mycogen's Reply Civ. P. 50, dated	A Brief in Support of Its I May 11, 1998, as filed RM, U.S. District Court	Motion for Judgme	nt as a Matter et al. v. Mons	of Law Under Fed. R.	T
		the Close of Evic	Delta and Pine Land's F lence, dated February 2 1:96-cv-00505-RRM, U.	2, 1998, as filed in S. District Court 1	Mycogen Plan	t, et al. v. Monsanto	Γ
		Monsanto's and the Verdict, date et al, 1:96-cv-005	Delta and Pine Land's F d February 20, 1998, as 505-RRM, U.S. District	Renewed Motion for filed in Mycogen Court, District of D	or Judgment a: Plant, et al. v. elaware (Wilm	s a Matter of Law after Monsanto Company, ington).	
		Judgment as a M Monsanto Comp (Wilmington).	Support of Monsanto's latter of Law, dated Ma any, et al, 1:96-cv-0056	ch 20, 1998, as fil 6-RRM, U.S. Distr	ed in Mycoger ict Court, Distr	Plant, et al. v. ict of Delaware	
	C211	Judgment as a M Monsanto Comp (Wilmington).	ly to Plaintiffs' Opposition latter of Law, dayed May any, et al, 1:96 cv-0050	y 12, 1998, as filed 5-RRM, U.S. Distr	I in Mycogen F ict Court, Distr	Plant, et al. v. rict of Delaware	
-	C212	for Partial Summ	k, Ashby & Geddes to J ary Judgment, dated Oc any, et al, 1:96-cv-0050	ctober 13 1987 a	s filed in Myco	gen Plant et al. v	Γ
	C213	Summary Judgm	solyto Judge McKelvie i ent Argument, dated Ja eny, et al, 1:96-cv-0050	nuary 6, 1998, as	filed in Mycon	en Plant et al. v	
		Judgment of Inva Mycogen Plant, of District of Delawa	Delta and Pine Land's E alidity Under 35 U.S.C. & at al. v. Monsanto Comp are (Wilmington).	§ 102(g), dated No pany, et al, 1:96-cv	vember 24, 19 -00505-RRM	97, as filed in U.S. District Court,	
		35 Ø.S.C. § 102( Company, et al.	Opposition to Defendar g), dated December 22 1:96-cv-00505-RRM, U.	, 1997, as filed in A S. District Court, E	Nycogen Plant District of Delay	, et al. v. Monsanto ware (Wilmington).	
	C216	Amended Version Judgment of Inva Mycogen Plant, of District of Delawa	n of Plaintiffs' Brief in O didity Under 35 U.S.C. ( at al. v. Monsanto Comp are (Wilmington).	pposition to Defen § 102(g), dated De pany, et al, 1:96-cv	dants' Motion cember 23, 19 -00505-RRM,	for Summary 197, as filed in U.S. District Court,	
	C217	Judgment of Inva	nsanto and Delta and F lidity Under 35 U.S.C. § Insanto Company, et al Ington).	102(q), dated Jar	nuary 7, 1998,	as filed in Mycoden	Γ
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Examiner Signature		/Anne Kubeli	k/		Date Considered	02/23/2009	1

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control Complete if Known Substitute for form 1449/PTO Application Number 07/827,906-Conf. #3375 INFORMATION DISCLOSURE Filing Date January 30, 1992 STATEMENT BY APPLICANT First Named Inventor Kenneth A. Barton Art Linit 1638 se as many sheets as necessary) Examiner Name A. R. Kubelik Of 23 Attorney Docket Number 28079/41333 anto's and Delta and Pine Land's Brief in Support of Its Motion for S ummary Judgment of Invalidity of Patent Nos. 5,567,600 and 5,567,862 Under 35 U.S.C. § 1/2, dated October 27, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al. 1/96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Plaintiffs' An wering Brief to Monsanto's Motion for Summary Judement of Invalidity of Patent Nos. 5,567,600 and 5,567,862 Under 35 U.S.C. § 112, dated Nyvember 24, 1997, as filed in Mycogen Plant, bt al. v. Monsanto Company, et al., 1:96-cv-00605-RRM, U.S. District Court, District O C220 Declaration of Dr. Gov Cardineau in Support of Plaintiffs: Inswering Brief to Monsanto's Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 112, dated November 24, 1997, as filed in Mycogen Plaint et al. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C221 Monsanto's and Delta and Ane Land's Reply to Mycogen's Answer to Monsanto's Brief in Support of Their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 112, dated December 8, 1997, as filed in Mogoria Plant, if al. v. Monsanto Company, et al., 196-cv00505-RRM, U.S. District Court, District of Diflaware (Willington).

C222 Opening Memorandum in Support & the Motion of Dekalb for Partial Summary Judgment of Invalidity (includes Appendix), dated october 13, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv-00585-RRM, U.S. District Court, District of Delaware (Wilmington). C223 Plaintifs' Answering Brief to DeKall's Motion for Partial Summary Judgment of Invalidity, dated November 18, 1997, as files in Mycope Plain, et al. v. Monsanto Company, et al, 1:96-cv-0050-RRM, U.S. District Of Spir C224 Declaration of Keith Valker in Support of Answen by Brief to DeKabl's Motion for Partial Summary Judgment of Invalidity, dated November 18, 1997, as filed in Mycogen Plant, et al. v. Monsands Company, et al. f. 1967. C225 DeKalb's Reply Brief if Support of Its Motion for Partial Symmary Judgment of Invalidity (includes Appendix) dated December 11, 1997, as filed in Vycogen Plant, et al. v. Monsanto Company, et al. 156-cv-00505-RRM, U.S. District Court, Disayct of Delaware (Willington). C226 Judgment, dated February 5, 1998, as filed in Mycogen Plant, at al. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Revised Opinion on Post-Trial Motions and Motion for Attorney Fee and on Inequitable Conduct, rated September 8, 1999, as filed in Mycogen Plant, et al. Monsanto Company, et al. 1:96 cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C228 Donald W. Banner Expert Report, dated November 3, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware mington). C229 Mallas Johnson Expert Report, dated November 3, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware Joachim Messing Expert Report, dated November 3, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delawar Lawrence Bogorad Expert Report, dated November 14, 1997, as filed in Mycogen Plant, et al. C231 v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

Signature /Anne Kubelik/	Date Considered	02/23/2009
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Substitute for form 1449/PTO  INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known
			Application Number	07/827,906-Conf. #3375
			Filing Date	January 30, 1992
			First Named Inventor	Kenneth A. Barton
				1638
(Dee as many sheets as necessary)			Examiner Name	A. R. Kubelik
19	Of	23	Attorney Docket Number	28079/41338

	C232	Joseph O. Falkinham Rebuttal Report, dated November 24, 1997, as filed in Mycogen Plant, et al. v. Nonsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware Wilmington).	Γ
		Mycogen Phot Science, Inc. v. Monsanto Co., 243 F.3d 1316 (2001).	Γ
		Trial Transcript. Qeening Statement by Mr. Olson, pages 80 96, 101-118, dated January 20, 1998, as filed in Micogen Plant, et al. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, Districtol Delaware (Wilmington).	
- 3		Trial Transcript, Opening Statement by Mr. Lynch, page 118-152, dated January 20, 1998, as filled in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Trial Transcript, Opening Statement by Mr. Baumartner, pages 154-193, dated January 20, 1998, as filed in Mycogen Plan, et al. v. Monsafio Company, et al., 1:95-cv-00505-RRM, U.S. District Court, District of Delawale (Wilmington).	
		Trial Transcript, Elizabeth E. Murray, Direct Examination by Mr. Olson, pages 443-481, dated January 21, 1998, as filed in Mycoglo Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Court, District Delaware (Wilmington).	
		Trial Transcript, Elizabeth E. Murray, Continued Direct Examination by Mr. Olson, pages 493- 504, dated January 22, 1998, as fleg in M _{Scogen Plant, et al. v. Monsanto Company, et al. 1:96-ov-00505-RRM, U.S. District Zourt, District of Delaware (Wininington).}	
		Trial Transcript, Elizabeth E. Muray, Cross-Elamination by Ms. Knoll, pages 504-559, dated January 22, 1998, as filed in Mcogen Plant, et al. v. Monsanto Company, et al., 1:96-cv- 00505-RRM, U.S. District Conft, District of Delawace (Wilmington)	
-		Trial Transcript, Elizabeth M. Murray, Cross-Examination by Mr. Baumgartner, pages 559-588, dated January 22, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. Distrot Court, District of Delaware (Wilmington).	
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		Trial Transcript Frederick J. Perlak, Direct Examination by Mr. wnch, pages 875-730, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRMy U.S. District Court, District of Delaware (Wilmington).	
		January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv- 00505/RRM, U.S. District Court, District of Delaware (Wilmington).	
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		Trial Transcript, Sylvia McPherson, Direct Examination by Mr. Lee, pages 979-984, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:86-cv- 00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	C246	Trial Transcript, Sylvia McPherson, Cross-Examination by Mr. Olson, pages 984-987, deted January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanio Company, et al, 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Wilmington).	

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Substitute for form 1449/PT	Substitute for form 1449/PTO			Complete if Known
		Application Number	07/827,906-Conf. #3375	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Ose as many sheets as necessary)			Filing Date	January 30, 1992
			First Named Inventor	Kenneth A. Barton
			Art Unil	1638
(Use as many	sneets as n	ecessary)	Examiner Name	A. R. Kubelik
20 Of 23		23	Attorney Docket Number	28079/41332
C247 Trial Transcript, Sylvia McPherson, Re			irect by Mr. Lee, page	s 987-988, dated January 23,

I	C247	Trial Transcript, Sylvia McPherson, Redirect by Mr. Lee, pages 987-989, dated January 23, 1998, a filled in Mycogen Plant, et al. v. Monsanto Company, et al., 136-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Trial Transchipt, Harry J. Klee, Direct Examination by Ms. Knoll, pages 989-996, dated January 23, 1998, as fied in Mycogen Plant, et al., "Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
l		Trial Transcript, Parry J. Klee, Cross-Examination by Mr. Olyon, pages 996-997, dated January 23, 1998, at filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv- 00505-RRM, U.S. Dishict Court, District of Delaware (Wymington).	
l		Trial Transcript, Roy Fuhrs, Direct Examination by Mr. Lynch, pages 998-1012, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsant Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmingtop).	Γ
l		Trial Transcript, Roy Fuchs, Qoss-Examination M. Mr. Olson, pages 1012-1016, dated January 23, 1998, as filed in Micogen Plant, eyal. v. Monsanto Company, et al, 1:96-cv- 00505-RRM, U.S. District Court, Nistrict of Dyraware (Wilmington)	
		Trial Transcript, Linda Hanley-Bowloin, Dio ct Examination by Ms. Knoll, pages 1017-1023, dated January 23, 1998, as filed in Mocoden Plant, et al., v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Trial Transcript, Linda Hanley-Bowdojf, Scoss-Examination by Mr. Olson, page 1024, dated January 23, 1998, as filed in Mycogan Plan, et al. v. Monsanto Company, et al., 1:96-cv- 00505-RRM, U.S. District Court, District of Dilaware (Willmington).	
L		dated January 23, 1998, as fited in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv- 00505-RRM, U.S. District Court, District of Delawane (Wilmington).	
		Trial Transcript, Stephen of Rogers, Cross-Examination by Mr. Olson, pages 1042-1046, dated January 23, 1998 as filed in Mycogen Plant, et 3, v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Whoington).	
		Trial Transcript, David Fischhoff, Direct Examination by Mr. Sayler, pages 1079-1111, dated January 26, 1998, is filed in Mycogen Plain, et al. v. Monsalvo Company, et al., 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Willminghum)	
		Trial Transcript/ David Fischhoff, Cross-Examination by Mr. Olson, pages 1111-1156, dated January 26, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Willminaton).	
		Trial Transcript, David Fischhoft, Redirect by Mr. Sayler, pages 1156-1160, dated January 26, 1998, a filled in Mycogen Plant, et al. v. Monsanto Company, et al., 1:90-cv-00505-RRM, U.S. Distript Court, District of Delaware (Wilmington).	
	C259	Tright Transcript, Joachim Messing, Direct Examination by Mr. Lynch, pages 166-1203, dated January 26, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al. 196-cv- 20505-RRM, U.S. District Court, District of Delaware (Wilmington).	
L	C269	Trial Transcript, Joachim Messing, Cross-Examination by Mr. Olson, pages 1203-1229, dated January 26, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:39 co- 00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	C261	Trial Transcript. Catherine Mackey, Direct Examination by Mr. Baumgartner, pages 123 1272, dated January 26, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	A
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Examiner		Date	
Signature	/Anne Kubelik/	Considered	02/23/2009

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/			Application Number	07/827,906-Conf. #3375	
INFORMATIO	N DI	SCLOSURE	Filing Date	January 30, 1992	
STATEMENT BY APPLICANT			First Named Inventor	Kenneth A. Barton	
				1638	
(Dec as many sheets as necessary)		Examiner Name	A. R. Kubelik		
2	Of	23	Attorney Docket Number	28079/4133	

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C262	Trial Transcript, Catherine Mackey, Cross-Examination by Mr. Olson, pages 1273-1292, dated January 26, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al. 1:96-cv-	
	00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C263	Trial Transchot, Catherine Mackey, Redirect by Mr. Baumgartner pages 1292-1294, dated January 26, 198, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv- 10505-RRM, U.S. District Court, District of Delaware (Willmingoh).	Г
	Trial Transcript, Michael A. Stephens, Direct by Mr. Baumgaftner, pages 1302-1325, dated January 26, 1998, a filed in Mycogen Plant, et al. v. Monyanto Company, et al., 1:96-cv- 10505-RRM, U.S. District Court, District of Delaware (Winnington).	Г
	Trial Transcript, Michael A. Stephens, Cross-Examination by Mr. Olson, pages 1325-1335, dated January 26, 1998, as filed in Mycogen Plant, gr at. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Oourt, District of Delawage (Willmington).	
C266	Trial Transcript, Michael A. Stephens, Continued Cross-Examination by Mr. Olson, pages 1342-1344, dated January 27, 1998, as flied in Mycogen Plant, et al. v. Monsanto Company, et al. 1:98-cv-00505-RRM, U.S. District Cour	
C267	dated January 27, 1998, as filed in Mycosen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Daniel R. Gallie, Cross-Byamination by Mr. Guise, pages 1435-1448, dated January 27, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv- 00505-RRM, U.S. District Court, Wistrict of Dajaware (Wilmington).	
	Trial Transcript, Daniel R. Gallief Redirect by Mr. Baumgartner, pages 1448-1453, dated January 27, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Wilmington).	Г
	Trial Transcript, Video Experpts from Don Merlo Deposition, pages 1463-1478, dated January 27, 1998, as filed in Mygogen Plant, et al. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, Digrict of Delaware (Wilmington).	
C271	Trial Transcript, Deposition Testimony from Donald Merlo, pages 1483-1496, dated January 27, 1998, as filed if Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Couft, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony from Thomas Rocheleau, pages 1497-1520, dated January 27, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv- 10505-RRyt, U.S. District Court, District of Delayare (Willimington).	
	Trial Tragscript, Joseph O. Falkinham, Direct Examination by Mr. Guise, pages 1625-1654, dated January 28, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Willmington).	
	Tript Transcript, Joseph O. Falkinham, Cross-Examination by Mr. Lynch, pages 1654-1690, quited January 28, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C278	Trial Transcript, Joseph O. Falkinham, Cross-Examination by Mr. Baumgartner, pages 1690- 1691, dated January 28, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1.96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C276	Trial Transcript, Joseph O. Falkinham, Redirect by Mr. Guise, pages 1691-1694, dated January 28, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Wilmington).	

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	Examiner		Date	-02202000	$\overline{}$
/	Signature	/Anne Kubelik/	Considered		_ /

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1					Application Number	07/827,906-Conf. #3375	
IN	λ₹ORI	10ITAN	1 DI	SCLOSURE	Filing Date	January 30, 1992	
s	TATE	MENT I	3Y /	APPLICANT	First Named Inventor	Kenneth A. Barton	
	(Dee as many sheets as necessary)				Art Unil	1638	
					Examiner Name	A. R. Kubelik	
		22	Of	23	Attorney Docket Number	28079/41333	
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		1747-1750 et al, 1:96	, date çv-005	d January 28, 1998, as 505-RRM, U.S. District (	filed in <i>Mycogen Plan</i> Court, District of Delav	Mahaney pages 1701-1744, t, et al. y Monsanto Company, ware (Vilmington).	
		8 Trial Transcoot, Michael J. Adang, Cross-Examination by Mr. Lyngh, pages 1750-1778, dated January 28, 1898, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Wilmington).					
		Trial Transcript, Mchael J. Adang, Cross-Examination by Mr Baumgartner, pages 1778-1813, dated January 28, Ty8, as filed in Mycogen Plant, et al. y Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. Discict Court, District of Delaware (Winington).					
		Trial Transcript, Michael J. Adang, Redirect by Ms. Malaney, pages 1813-1820, dated January 28, 1998, as filed in Mycogen Plant, et al. v., Monsanto Company, et al, 1:96-cv- 00505-RRW, U.S. District Court, District of Delawage (Willmington).					
		281 Trial Transcript, Deposition Testimony of John Indie, pages 1833-1840, dated January 28, 1998, as filed in Mycogen Planh et al. v. Monsafto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delawards (Wilmingtop).					
C282 Trial Transcript, Jean Romero-Seve son, 1847, dated January 28, 1998, as filed in 1:96-cv-00505-RRM, U.S. District Court			ary 28, 1998, as filed in RM, U.S. District Cour	Mycogen Plant, et al District of Delaware (	l. v. Monsanto Company, et al, Wilmington).		
		dated Janu 00505-RRM	ary 28 4, U.S	1, 1998, as filed in Myco District Court, District	gen Plant, et al. v. Mo of Delaware (Wilming		
	C284	Trial Trans	cript, E	Deposition Test mony of	Carolin Stock, pages	s 1851-1862, dated January 28.	

		Trial Transcript, Jean Romero-Seveson, Difect Examination by Ms. Mahaney, pages 1841- 1847, dated January 28, 1998, as files in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Coun District of Delaware (Wilmington).	Г
	C283	Trial Transcript, Jean Romero-Severson, Cross-Examination by Ms. Knoll, pages 1847-1850, dated January 28, 1998, as filed in Mycogés Plant, et al. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	Γ
		Trial Transcript, Deposition Testmony of Carolly, Stock, pages 1851-1862, dated January 28, 1998, as filed in Mycogen Play, et al. v. Monsano Company, et al., 1:95-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	Г
		Trial Transcript, Deposition Testimony of Carolyn Stock (Continued), pages 1933-1939, dated January 29, 1998, as filed in Mycogen Plant, et al. v. Mansanto Company, et al., 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Whinington).	Γ
		Trial Transcript, Theydore Klein, Direct Examination by Mr. Katcoff, pages 1970-1993, 2003- 2013, dated January 19, 1998, as filed in Mycogen Plant, et al., v. Monsanto Company, et al., 1:96-cv-00505-RMM, U.S. District Court, District of Delaware (Wilmington).	
	C287	Trial Transcript Theodore Klein, Cross-Examination by Mr. Baumgartner, pages 2014-2054, dated January 29, 1998, as filed in Mycogen Plant, et al. v. Monsaylo Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Trial Transcript, Theodore Klein, Redirect by Mr. Katcoff, pages 2054-2058, dated January 29, 1998, a filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:98 cv-00505-RRM, U.S. Distript Court, District of Delaware (Wilmington).	Γ
		Tripler Transcript, Deposition Testimony of Charles Armstrong, pages 2063-2044, dated January 29, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-che00505-RRM, D.S. District Court, District of Delaware (Wilmington).	
		Trial Transcript, Deposition Testimony of Ben Bowen, pages 2074-2094, dated Jahuary 29, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al., 1:95-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	C291	Trial Transcript, Deposition Testimony of William Gurley, pages 2132-2141, dated January 29, 1998, as filled in Mycogen Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, N.S. District Court, District of Delaware (Wilmington).	
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Examiner Signature	/Anne Kubelik/	Date	
Signature	/Anne rubello	Considered	02/23/2009

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Sub	stitute for fo	rm 1449/PTO				Complete if Known	
1					Application Number	07/827,906-Conf. #3375	
- IÑ	λ₹ORI	OITAN	N DI	SCLOSURE	Filing Date	January 30, 1992	
s	TATE	MENT I	BY A	APPLICANT	First Named Inventor	Kenneth A. Barton	
					Art Unit	1638	_
	(0€	e as many sh	eets as	necessary)	Examiner Name	A. R. Kubelik	
		23	Of	23	Attorney Docket Number	28079/41333	
							_
	C292	29, 1998 a	as filed	Deposition Testimony of in Mycogen Plant, et rt, District of Delaware	al. v. Monsanto Comp	pages 2197-2194, dated January any, et al. 1:96-cv-00505-RRM,	
	C293	1998, as fil	led 🗽 .	Deposition Testimony of Mycogen Plant, et al. v strict of Delaware (Wiln	. Monsanto Company,	s 2194-2196, dated January 29, et al, 1:96-cv-00505-RRM, U.S.	
	C294	1998, as fil	led in	Deposition Testimony of Mysogen Plant, et al. v strict of Delaware (Wiln	. Monsanto Company,	et al, 1:96-cv-00505-RRM, U.S.	
	C295	1998, as fil	led in a	Deposition Testimony of Mycogen Plant, et al. v strict of Denaware (Wiln	. Monsanto Company,	257-2258, dated January 30, et al, 1:96-cv-00505-RRM, U.S.	

	District Court, District of Delaware (Wilmington).	
C294	Trial Transcript, Deposition Testimony of Kevin McBride, pages 2254-2257, dated January 30, 1998, as filled in Myogen Plant, et al. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, District Oblaware (Wilmington).	Γ
	Trial Transcript, Deposition Testimony of Duff Dean, pages 2257-2258, dated January 30, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	Г
C296	Trial Transcript, Deposition Testimony of Sherry Frown, pages 2258-2261, dated January 30, 1998, as filed in Mycogen Planie t al. v. Monsa to Company, et al., 1:96-cv-00505-RRM, U.S. District Court, District of Delaware, Wilmington.	
	Trial Transcript, Deposition Testimony of Charles Romano, pages 2261-2264, dated January 30, 1998, as filed in Mycogen Plant, et al., 4. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Court, District of Delaware Wilmington).	
	Trial Transcript, Deposition Testimony of Nave Corbin, pages 2264-2273, dated January 30, 1998, as filed in Mycogen Plant, et al. v. Mocsanto Company, et al. 1:95-cv-00505-RRM, U.S. District Court, District of Delawars (Wilmington).	Г
C299	Trial Transcript, Deposition Test/mony of Duff Dean (Counterdesignation), pages 2275-2276, dated January 30, 1998, as filed in Mycogen Plank, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delawaie, (Willmighot).	
C300	Trial Transcript, Closing Adument by Mr. Olson, pages 2368-2371, 2396-2433, dated January 30, 1998, as filed in Mycgen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, Dispfict of Delaware (Wilmington).	
	Trial Transcript, Closing Argument by Mr. Lynch, pages 2494-2476, dated January 30, 1998, as filed in Mycoge Plant, et al. v. Monsanto Company, et al. 1.96-cv-00505-RRM, U.S. District Court, Digrict of Delaware (Wilmington).	
	Trial Transcript Closing Argument by Mr. Baumgartner, pages 2(79-2522, dated January 30, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Closing Argument by Mr. Olson (Continued), pages 2322-2528, dated January 30, 1998, as filed in Mycogen Plant, et al., V. Monsanto Company, et al., 196-cv-00505-RRM, U.S. Øistrict Court, District of Delaware (Wilmington).	Г
	Triple Transcript, Closing Argument by Mr. Baumgartner (Continued), pages \$528-2530, dated Junuary 30, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al. 1:96-cv- 20505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C305	Plaintifs' Answering Brief in Opposition to Monsanto's and Delta and Pine Land's Notion for Judgment as a Matter of Law, dated April 27, 1998, as filed in Mycogen Plant, et al. Monsanto Company, et al, 1:95-cv-06956-RRM, U.S. District Court, District of Delaware	

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(Wilmington).

Signature Considered 02/23/2009
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